SAN FRANCISCO PUBLIC LIBRARY
3 1223 03474 3915

C/S

San Francisco Public Library

Government Information Center
San Francisco Public Library
100 Larkin Street, 5th Floor
San Francisco, CA 94102

REFERENCE BOOK

Not to be taken from the Library

City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

SF
590
#72

DOCUMENTS DEPT.
JUL 26 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, June 7, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona*

3 1223 03474 3915

Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved to approve the May 10, 2005 and May 17, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMUNICATIONS

CONSENT AGENDA

Recommendation of the Budget and Finance Subcommittee

050215 [Revision of the recourse hearing procedures for public work prevailing wage violations] **Supervisors Ammiano, Peskin**

Ordinance amending San Francisco Administrative Code Section 6.22, at subsection 6.22(E)(8)(c), to revise the recourse hearing procedures for contractors challenging forfeitures for prevailing wage violations on public work projects.

Enacted Number: 107-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,

McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Budget and Finance Committee

050329 [Parking Permits]

Ordinance amending San Francisco Traffic Code sections 308, 308.1, 308.3, and repealing section 314, to: clarify the requirements for issuance of Residential Parking Permits; increase parking permit fees for Residential Parking Permits and Health Care Worker Permits to sixty dollars ($60) if purchased in the first six months of the permit year or thirty dollars ($30) if purchased in the last six months of the permit year; increase Educational Institution Permits to sixty dollars ($60) for each permit regardless of the date of purchase or repurchase; increase temporary parking permit fees for Residential Parking Permits to twenty dollars ($20) for each week for up to four weeks or forty dollars ($40) for a four week permit; increase visitor parking permit fees for Residential Parking Permits to five dollars ($5) per day, twenty dollars ($20) for two consecutive weeks, thirty dollars ($30) for four consecutive weeks, forty dollars ($40) for six consecutive weeks, or fifty dollars ($50) for eight consecutive weeks; and, delete previous permit fee amounts. (Municipal Transportation Agency)

Enacted Number: 108-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050371 [Contractor Permit Fee]

Ordinance amending San Francisco Traffic Code section 202.C to add a provision that contractor permits may be issued for six consecutive months that begin on December 1st, to delete a provision that no more than five additional contractor permits may be issued to any contractor who is not eligible to apply for exclusive temporary use of parking meter zones, and to increase the contractor parking permit fee from $325 to $500 if purchased in the first six months of the year and from $225 to $250 if purchased in the last six months of the permit year. (Municipal Transportation Agency)

Enacted Number: 111-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

050547 [Soil Boring and Well Regulation Ordinance] **Supervisor Peskin**

Ordinance amending the San Francisco Health Code by deleting Section 659

and adding a new Article 12B to establish a regulatory program for the construction, modification, operation, and destruction of soil borings and wells, including both non-production and water wells, to protect the public health and safety and the integrity of the City's groundwater resources by requiring anyone who proposes to construct, modify, operate, maintain or destroy a well or soil boring to obtain a permit; amending Section 249.13 of the San Francisco Business and Tax Regulations Code to set forth the annual fee for the permit; and amending Section 3101 of the Health Code to renumber the reference to section 659 of the Health Code to Article 12B.

Enacted Number: 113-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050573 [Deleting References to Traffic Zone No. 1]

Ordinance repealing San Francisco Traffic Code sections 3.6, 10, 20, 35, 88, and 89, and amending San Francisco Police Code section 1320.10, to delete references to Traffic Zone No. 1. (Parking and Traffic Department)

Enacted Number: 114-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use Committee

050349 [Bicycle Plan Policy Framework adoption and related General Plan amendments] — Mayor, Supervisors McGoldrick, Mirkarimi, Maxwell, Ammiano

Ordinance amending the San Francisco General Plan in connection with the San Francisco Bicycle Plan: Policy Framework; adopting environmental findings and findings that the General Plan amendment is consistent with the General Plan and eight priority policies of Planning Code Section 101.1; adopting the Bicycle Plan: Policy Framework; and authorizing official acts in connection thereto.

Enacted Number: 109-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

050726 **[Settlement of Claims - Pacific Gas & Electric Company]**

Ordinance approving the settlement of telephone users tax refund claim asserted by Pacific Gas & Electric Company against the City and County of San Francisco in a claim for refund, then in Pacific Gas & Electric Company v. City and County of San Francisco, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM and Adv. No 04-3071 DM. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050855 **[Settlement of Lawsuit - Klara Khaimskaya]**

Ordinance authorizing settlement of the lawsuit filed by Klara Khaimskaya against the City and County of San Francisco on October 16, 2003 in San Francisco Superior Court, Case No. 425-488, entitled Klara Khaimskaya, et al., v. City and County of San Francisco, et al. and authorizing a payment of $1,020,000. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050856 **[Settlement of Lawsuit - Nydia Rosales]**

Ordinance authorizing settlement of the lawsuit filed by Nydia Rosales against the City and County of San Francisco for $40,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-728; entitled Nydia Rosales, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050857 **[Settlement of Lawsuit - Nancy Enciso]**

Ordinance authorizing settlement of the lawsuit filed by Nancy Enciso against the City and County of San Francisco for $200,000.00; the lawsuit was filed on August 18, 2004, in the Superior Court of the State of California, County of San Francisco, Case No. 433-927; entitled Nancy Enciso v. The City and County of San Francisco, Hugo Aguilera, et al. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050537 **[Appointment - Community Choice Aggregation Citizens Advisory Task Force]**

Resolution appointing Lino Del Signore, term ending May 31, 2006, to the Community Choice Aggregation Citizens Advisory Task Force.

Lino Del Signore, new appointment, seat 2, must be an expert in municipal revenue bond financing, for the unexpired portion of a two-year term ending May 31, 2006.

Enacted Number: 426-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050812 [Appointment - Asthma Task Force]

Resolution appointing Natasha Madaris, Micah McLorin and Anjali Nath, terms ending June 30, 2005, to the Asthma Task Force, residency requirement waived.

Natasha Madaris (residency requirement waived), succeeding LeConte Dill, seat 1, resigned, must be a representative of a community-based organization that provides advocacy related to asthma issues in San Francisco and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005. Micah McLorin, succeeding Carl Rose, seat 13, resigned, must be a representative of lung health/asthma-specific organizations and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005. Anjali Nath (residency requirement waived), succeeding Beth Saiki, seat 14, resigned, must be a representative of lung health/asthma-specific organizations and is a voting member, for the unexpired portion of a two-year term ending June 30, 2005.

Enacted Number: 428-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

050370 [Parking Meter Rates]

Ordinance amending the San Francisco Traffic Code by amending Section 203.1 to increase the rate for parking meters in Parking Meter Area Number

One to three dollars ($3.00) an hour, by amending Sections 203.2 and 203.4 to increase the rate for parking meters in Parking Meter Areas Numbers Two and Four to two dollars and fifty cents ($2.50) an hour, and by amending Section 203.3 to increase the rate for parking meters in Parking Meter Area Number Three to one dollar and fifty cents ($1.50) an hour. (Municipal Transportation Agency)

Note: Supervisor Mirkarimi indicated that his desire was to vote No on this matter, but the vote could not be rescinded.

Enacted Number: 110-05

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Ammiano, Daly, Sandoval

050372 **[Parking Fine Penalty Schedule]**

Ordinance amending San Francisco Traffic Code section 132 to increase penalties for various parking related violations, and to correct the penalties for Vehicle Code sections 22523A and 22523B by decreasing the penalties to $200 and section 22526B by decreasing the penalty to $100. (Municipal Transportation Agency)

(Supervisor Daly Dissenting in Committee)

Note: Supervisor Mirkarimi indicated that his desire was to vote No on this matter, but the vote could not be rescinded.

Enacted Number: 112-05

FINALLY PASSED by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

NEW BUSINESS

Recommendation of the Budget and Finance Subcommittee

050597 **[Urging the Redevelopment Agency to establish a policy to use 50% of Redevelopment Tax Increment proceeds for affordable housing]** **Supervisors Maxwell, Daly, Mirkarimi**

Resolution urging the Redevelopment Agency of the City and County of San Francisco to establish a housing policy setting a clear intent to use over 50% of total tax increment funds for low and moderate income housing and to include a statement of such intent in all future redevelopment plans submitted to the Board of Supervisors for its approval.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 427-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the City Operations and Neighborhood Services Committee

050595 **[Environmentally Preferable Purchasing for Commodities]** — **Supervisors Maxwell, Daly, Mirkarimi, Ma**

Ordinance repealing Chapter 2 of the Environment Code which established an environmentally preferable purchasing pilot program and sections 507, 508 and 512 of Chapter 5 and Chapter 9 of the Environment Code which pertain to purchasing certain environmentally preferable commodities and enacting a new Chapter 2 of the Environment Code to establish a comprehensive City-wide Environmentally Preferable Purchasing Program for purchases of commodities; and making conforming changes in Environment Code sections 501, 506 and 511 and Administrative Code sections 21.16 and 21.30.

Supervisors Mirkarimi and Ma requested to be added as co-sponsors.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050825 **[Homeless Death Form]** — **Supervisors Dufty, Daly, Mirkarimi**

Ordinance amending the San Francisco Health Code by adding Sections 220 through 226, requiring those registering deaths with the Health Department to file a Homeless Death Form.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050923 **[Resolution of Intention to form the Noe Valley Community Benefit District (CBD)]** — **Supervisor Dufty**

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing

thereon.

Enacted Number: 420-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050924 **[Resolution of Intention to form the Castro/Upper Market Community Benefit District (CBD)]** **Supervisor Dufty**

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

050876 **[Resolution of Intention to form the 2500 Block of Mission Street Business Improvement District (BID)]** **Supervisor Ammiano**

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "2500 Block of Mission Street Business Improvement District (BID)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050877 **[Resolution of Intention to form the North of Market/Tenderloin Community Benefits District (CBD]** Supervisor Daly

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefits District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050878 **[Resolution of Intention to form the Fisherman's Wharf Community Benefit District (CBD)]** Supervisor Peskin

Resolution declaring the intention of the Board of Supervisors to establish a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," to order the levy and collection of a multi-year assessment, and setting a time and place for a public hearing thereon.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use Committee

050176 **[Amending the Planning Code to make all massage establishments conditional uses]** — Supervisors Ma, Maxwell, Sandoval

Ordinance amending Sections 218.1, 710.54, 711.54, 712.54, 713.54, 716.54, 717.54, 718.54, 719.54, 720.54, 721.54, 722.54, 723.54, 724.54, 725.54, 726.54, 727.54, 728.54, 729.54, 730.54, 810.54, 811.54, 812.54, 790.60 and 890.60 of the Planning Code to define massage establishments per Section 1900 of the Health Code, to provide that all massage establishments shall be permitted as conditional uses, to provide that non-incidental massage establishments must first obtain all required permits from the Health Department before seeking a conditional use permit, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Supervisor Sandoval requested to be added as a co-sponsor.

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be RE-REFERRED to the Land Use Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050724 **[Zoning Map Amendment in connection with the Alabama and 18th Streets Affordable Housing Special Use District]**

Ordinance amending the Sectional Zoning Map No. 7SU of the San Francisco Planning Code to incorporate the Alabama and 18th Streets Affordable Housing Special Use District as being applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050725 **[Alabama and 18th Streets Affordable Housing Special Use District]**

Ordinance amending the San Francisco Planning Code by adding Section 249.27 to create the Alabama and 18th Streets Affordable Housing Special Use District applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050439 **[Visitacion Valley Strategic Concept Plan]** — Supervisor Maxwell

Resolution supporting use of the Visitacion Valley Strategic Concept Plan in all planning efforts in Visitacion Valley; urging consideration of this Plan in applicable environmental analyses; and urging affected property owners to embrace the Plan as part of any development proposal and to collaborate with community stakeholders throughout the development process.

Enacted Number: 425-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050438 **[Designating the Visitacion Valley Survey Area]** **Supervisor Maxwell**

Resolution designating the Visitacion Valley Survey Area within the City and County of San Francisco pursuant to the California Community Redevelopment Law.

Enacted Number: 424-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Peskin informed the Board members he had met with the Superintendent of the SFUSD and other members of the community, and he did apologize for his remarks made about her.

Supervisor Maxwell introduced, welcomed, and presented a Certificate of Honor to organizations dealing with hunger; the Food Bank, St. Anthony's Foundation and Project Open Hand, "Hunger Awareness Day".

Supervisor McGoldrick noted absent at 3:45 p.m.

SPECIAL ORDER 4:00 P.M.

050908 [Public Hearing - Appeal of Minor Sidewalk Encroachment Permit for 11 Castenada Avenue]

Hearing of persons interested in or objecting to the decision of the Director of Public Works by its Order No. 175,406, dated May 11, 2005, concerning approval of a Minor Sidewalk Encroachment Permit No. 05MSE-0138 for the construction of a new warped driveway, new stair, low curbs and reconstruction of existing landscaping encroaching 8'-6" into the public right-of-way per neighborhood pattern fronting the property at 11 Castenada Avenue, Assessor's Block 2819, Lot 037. (Appellant: Michael Tsang.)

(Filed May 16, 2005; companion measure to Files 050909 and 050910; District 7.)

Michael Sang, Appellant

George Sang, support of appellant

John Kwong, Department of Public Works reviewed with the Board the recommendation of the Department of Public Works.

Matthew Huey, Contractor for the owner of the property, support of project sponsor.

Michael Sang, Appellant Rebuttal Period

The President inquired as to whether or not members of the public wished to address the Board

The President declared the public hearing closed.

(Only one of the following two motions should be adopted.)

050909 [Minor Sidewalk Encroachment Permit Appeal - 11 Castenada Avenue]

Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 11 Castenada Avenue and denying the encroachment permit. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

APPROVED AS AMENDED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

050910 **[Minor Sidewalk Encroachment Permit Appeal - 11 Castenada Avenue]**
Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 11 Castenada Avenue and denying the appeal. (Clerk of the Board)

TABLED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Mirkarimi provided the Board an update on LAFCO on which he represents the Board of Supervisors.

Supervisor Ammiano provided the Board an update on the Municipal Transportation Commission on which he represents the Board of Supervisors.

PUBLIC COMMENT

Abdulah Megaheed; expressed gratitude to the SF Chief of Police

Robert Haaland; expressed concern of the SF Health Service System

Amos Brown; expressed gratitude to President Peskin for apologizing for remarks about the Superintendent of SFUSD.

James Chaffee; expressed concern regarding the amount time allowed for public comment

Walter Paulson; shared with Board his appearances in movies and informed the Board of the general issues happening in San Francisco

Azalia Merrill; showed interest in the rebuilding SF project

Rex Gray, President of Local 790; expressed gratitude for sales tax initiative

Debra Hardy; expressed concern regarding the MTA budget

Eugene Grodon Jr.; expressed concern relating to cost of living issues

Member of Local 790; expressed concern over the Public Health budget

Brent Savy; expressed concern over medical marijuana guidelines

Maxine Duggan; opposed to AB 22

John; expressed concern over an article regarding remarks about Catholic priests

Al Martino; support of making SF permanent home for the USS Iowa

Bud Wilson; support of making SF permanent home for the USS Iowa

Paul Gomez, Director of the Veterans Association of the USS Iowa; support of making SF permanent home for the USS Iowa

Gene Gator; support of making SF permanent home for the USS Iowa

Howard Pearson; support of making SF permanent home for the USS Iowa

Wallace Levin; updated the Board on the Memorial Day Celebration; support of making SF permanent home for the USS Iowa

Corky Reed, Commissioner on the Veterans Affair Commission; support of making SF permanent home for the USS Iowa

Melinda Feliz; support of File No. 050941, to keep open Presidio Child Development Center

Evanna Prea, parent of children at Presidio Child Development; support of File No. 050941, to keep open Presidio Child Development Center

Espanola Jackson;

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

050940 **[Supporting AB 772 and SB 437 - Health Coverage for Children]** **Supervisors Ammiano, Mirkarimi, Daly**

Resolution supporting State Assembly Bill 772 and State Senate Bill 437.

Supervisor Daly requested to be added as a co-sponsor.

Enacted 429-05

Number:
ADOPTED

050942 [Commending GLAAD for moving the 16th Annual Media Awards to Fort Mason Pavilion] — Supervisors Dufty, Ammiano, Daly

Resolution commending GLAAD for moving the 16th Annual Media Awards to Fort Mason Pavilion.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 436-05
ADOPTED

050943 [Endorsing the elimination of the "Don't Ask, Don't Tell" policy and adoption of a policy of nondiscrimination on the basis of sexual orientation within the United States Armed Forces] — Supervisors Dufty, Ammiano, Mirkarimi, Daly

Resolution endorsing Senate Joint Resolution 11, urging the President and the United States Congress to adopt the Military Readiness Enhancement Act of 2005 (H.R. 1059), which eliminates the "Don't Ask, Don't Tell" policy and adopts a policy of nondiscrimination on the basis of sexual orientation within the United States Armed Forces.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 431-05
ADOPTED

050944 [Supporting AB 1605 (Wolk and Berg) and SB 1018 (Simitian)] — Supervisors Ma, Maxwell, Dufty

Resolution urging the support of AB 1605 (Wolk and Berg) and SB 1018 (Simitian), which would establish the Elder Financial Abuse Reporting Act of 2005.

Enacted Number: 432-05
ADOPTED

050946 [Support Assembly Bill 528 - Public Health and Environmental Enforcement Law of 2005] — Supervisor Mirkarimi

Resolution urging San Francisco's legislative delegation to support, the California Legislature to pass, and the Governor to sign Assembly Bill 528 -- Public Health and Environmental Enforcement Law of 2005.

Enacted Number: 438-05
ADOPTED

050947 [Issuance and Sale of Revenue Bonds - Music Concourse Community Partnership] — Supervisor Peskin

Resolution approving the issuance and sale of revenue bonds and/or revenue bond anticipation notes by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $32,000,000 for the Music Concourse Community Partnership.

Enacted Number: 423-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

050948 [Urging the 109th Congress to pass S 910 and HR 1849, the Breast Cancer Patient Protection Act of 2005] — Supervisor Sandoval

Resolution urging the 109th Congress to pass S 910 and HR 1849, the Breast Cancer Patient Protection Act of 2005, requiring a post-mastectomy hospital stay to be determined by the patient and her doctor, not an insurance company.

Enacted Number: 439-05

ADOPTED

050963 [Commending and congratulating Ignacio Chapela on receiving tenure at the University of California at Berkeley] — Supervisors Sandoval, Mirkarimi, McGoldrick, Maxwell

Resolution commending and congratulating Ignacio Chapela on his receipt of tenure at the University of California at Berkeley.

Enacted Number: 437-05

ADOPTED

050964 [Accept-Expend Federal Grant - Mayor's Office of Criminal Justice] — Mayor

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $250,000 from the Office of Justice Programs, Bureau of Justice Assistance (BJA) for the purpose of enhancing and implementing sex offender management practices for offenders under community supervision through the 2004 Sex Offender Management Discretionary Grant Program.

Enacted Number: 433-05

ADOPTED

050965 [Accept-Expend Private Grant - Mayor's Office of Criminal Justice] Mayor

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend a grant in the amount of $15,000 from the Northern California Mechanical Contractors Association (MCA) for the purpose of the arrest and conviction of Mr. Victor Bach's murderer.

Enacted Number: 434-05

ADOPTED

050914 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
Version.

Enacted Number: M05-86

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Severed from Without Committee Reference Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

050941 [Supporting the Presidio Child Development Center] Supervisors Alioto-Pier, Elsbernd

Resolution supporting the Presidio Child Development Center, and urging the San Francisco Unified School District Superintendent and School Board not to close the Center.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 430-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,

Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

050945 [Supporting AB 22 (Lieber)] **Supervisors Ma, Maxwell, Dufty, Mirkarimi**

Resolution urging the support of AB 22 (Lieber), the California Trafficking Victims Protection Act.

Supervisor Mirkarimi requested that this matter be referred to Committee.

REFERRED to the City Operations and Neighborhood Services Committee.

Supervisor Daly requested that this matter be severed so that it might be considered separately.

050976 [Final Map for a 6 Unit Residential Condominium Project - 400-402-404-406-408-410 Vallejo Street]

Motion approving Final Map of 400-402-404-406-408-410 Vallejo Street, A Residential Condominium Project, being a subdivision of Lot 11 in Assessor's Block No. 133, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,357; District 3.)

Enacted Number: M05-85

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties.

4/19/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/19/2005.

6/7/05, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

6/7/05, ASSIGNED to City Operations and Neighborhood Services Committee.

050980 **[Interim Government Funding, Fiscal Year 2005-2006 (Excluding Municipal Transportation Agency)]** Mayor

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050981 **[Interim Government Funding, Fiscal Year 2005-2006 (Municipal Transportation Agency)]** Mayor

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050982 **[Public Employment, Fiscal Year 2005-2006]** Mayor

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050983 **[Clarifying that the Bureau of Delinquent Revenue is authorized to add costs incurred in collecting money owed to the city to the original charge and to collect those costs from the debtor]** Mayor

Ordinance amending Chapter 10, Article V of the San Francisco Administrative Code by amending Section 10.41-1 to authorize the Bureau of Delinquent Revenue Collection to collect costs incurred in collecting claims for money owed to the City, to add those costs to the original charge and to collect those costs from the debtor.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050984 **[Increasing fees for certain services provided by the Medical Examiner]** Mayor

Ordinance making environmental findings, and amending San Francisco Administrative Code Section 8.14, to increase the fees for forensic non-

medical examiner or outside county autopsy, disaster bags, removal of remains, and storage of remains.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050985 [Patient Rates] Mayor

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2005.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050986 [Public Works Code occupancy assessment fees for various encroachments] Mayor

Ordinance amending the Public Works Code to amend Section 723.2 to adopt a public right-of-way occupancy assessment fee for minor sidewalk encroachments, to amend Section 724.1 to modify the public right-of-way occupancy assessment fee for temporary street occupancy permits; and to add Section 786.7 to adopt a public right-of-way occupancy assessment fee for street encroachments; and making environmental findings.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050987 [Golf Fees - Harding Park, Golden Gate Park, McLaren Park] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.12 to increase the fees at Harding Park and Fleming Golf Courses; amending Sec. 12.16 to increase the fees at Golden Gate Park Golf Course; amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; amending Sec. 12.33 to set a maximum fee for golf cart rentals; and adding Sec. 12.37 to establish fees for Gleneagles Course at McLaren Park.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050989 [Recreation and Park - Tiny Tots Fees] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.35 to standardize the Department's Tiny Tot/Child Development Program's curriculum and associated fee schedule.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050990 [Recreation and Park Department - Athletic Field Permit Fees for Adults] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.36 to increase the fees for use of the athletic fields by adults.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050991 [Recreation and Park - Aquatic Fees] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.34 establishing the fee structure for use of aquatic facilities and for related aquatic activities.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050992 [Lake Merced Fees - Boat Storage] **Mayor**

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding San Francisco Park Code Section 12.38 to establish boat storage fees.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050993 [Providing for waiver of fees and changing fees for Emergency Medical Services and making environmental findings] **Mayor**

Ordinance amending Article 3 of the Health Code by amending Section 128.1, to create a fee for providing service to a patient without transporting the patient, to increase the base rate fees for both Basic Life Service and Advanced Life Service, to increase the fee for mileage, to eliminate the fee for night service, to substitute a flat fee for supplemental supplies in place of fees for individual supplies used to treat each patient, to amend the language regarding changes in fees in subsequent years to fix typographical errors, to eliminate the provision by which the San Francisco Fire Department could add charges for additional supplies, and to make environmental findings.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050994 [Increasing Fire Department Fees For Service] **Mayor**

Ordinance amending Sections 106.8, 106.9, 106.11, 106.15, 106. 17, and Table 106B of the San Francisco Fire Code to increase the San Francisco Fire Department's fees for high rise inspection, plan review, pre-application plan review, overtime, and water flow requests, to become operative on its effective date or on July 1, 2005 whichever is later, and making environmental findings.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050999 [Arts Commission Special Funds] **Mayor**

Ordinance amending Article XIII of the San Francisco Administrative Code by amending Sections 10.100-28, 10.100-30 and 10.100-34 to redesignate the Arts Commission Market Street Art Maintenance Fund and the Arts Commission Youth Arts Fund as sub-accounts of the Arts Commission Public Arts Fund.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051000 [Board of Appeals Surcharge] **Mayor**

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to add a Board of Appeals surcharge for tobacco retailer's permits issued pursuant to San Francisco Health Code Section 1009.53, (2) amending Section 10G.1 to adjust the surcharges for permits and annual license renewals issued pursuant to San Francisco Police Code Sections 2.26, 2.27 and 2.27.1, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the new Board of Appeals Surcharge and adjustments to existing Board of Appeals surcharges are not a "project" and that such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the

Board of Appeals pursuant to Charter Section 4.106.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.
06/06/05 - Referred to the Planning Commission for review and comment.

051001 **[Making Environmental Findings and Establishing the Community Courts Program and Administrative Fee]** — Mayor

Ordinance making required environmental findings; amending section 10.100-95 of the Administrative Code to provide that monies collected from participants in the Community Court Program to settle disputes or dismiss charges be deposited in the Mayor's Community Support Fund and make other technical amendments; amending section 10.100-295 of the Administrative Code to designate the Mayor's Office of Criminal Justice as administrator of the Dispute Resolution Program and Fund and to designate the Mayor's Office of Criminal Justice and the District Attorney's Office as administrators of the Community Courts Program; and to add section 10.183 to the Administrative Code to establish and authorize the District Attorney to collect a Community Court Program Administrative Fee to recover the City's costs for the District Attorney to participate in the operation of the Community Courts Program.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051002 **[Establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections]** — Mayor

Ordinance making environmental findings and amending the San Francisco Administrative Code by adding a new section 2A.22.1 establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051003 **[Repeal of exemption from paying tow and storage fees on stolen vehicles, and waiver of an administrative fee for recovered stolen vehicles owned by residents]** — Mayor

Ordinance repealing San Francisco Administrative Code Section 10C.8-1, which exempts residents of San Francisco from paying tow and storage fees on stolen vehicles, and amending San Francisco Administrative Code Section 10C.1 and San Francisco Traffic Code Section 170.1 to exempt City residents from payment of an administrative fee in connection with the towing and storage of stolen vehicles.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051004 **[Recovery of the City's costs of emergency response to incidents resulting from the negligent operation of a motor vehicle, boat or vessel by a person under the influence of alcohol or** — Mayor, Supervisors Ma, Mirkarimi

Ordinance adding Chapter 10H to the San Francisco Administrative Code authorizing the City to recover the costs of emergency response to incidents resulting from negligent operation of motor vehicles, boats or vessels by persons under the influence of alcohol or drugs, and the costs of emergency response to incidents caused by individuals' intentionally wrongful conduct; defining emergency response for the purpose of this chapter; providing for

the establishment by ordinance of the standard, hourly charges for personnel and equipment used in emergency response to such incidents; and directing the Police Department, Fire Department and the Health Department to coordinate with designated City officials to prepare and deliver invoices to the persons responsible for the costs of the City's emergency response to such incidents.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051005 **[Cable Television Franchise Amendments]** Mayor

Ordinance amending Ordinance No. 105-64, as amended by Ordinance Nos. 528-88, 315-89, 42-91, 42-97, and 266-99, by amending sections 1, 9, 24.3, 25, 25.5, 27.2, 31, and 32 and Appendix C to extend the term of the franchise and to clarify and expand the obligations of the Comcast of California III, Inc.

6/1/05, RECEIVED AND ASSIGNED to Rules Committee.

051006 **[Settlement of Claims - Comcast of California III, Inc.]** Mayor

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

6/1/05, RECEIVED AND ASSIGNED to Rules Committee.

051007 **[MOU - Automotive Machinists, Local 1414]** Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists, Local 1414, to be effective July 1, 2005 through June 30, 2006.

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051008 **[MOU - Deputy Probation Officers' Association]** Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Probation Officers' Association, to be effective July 1, 2005 through June 30, 2006.

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051009 **[MOU - Institutional Police Officers' Association]** Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Institutional Police Officers' Association, to be effective July 1, 2005 through June 30, 2006.

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051012 **[MOU - Committee of Interns and Residents/SEIU]** Mayor

Ordinance adopting and implementing the mediated agreement establishing

the Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents/SEIU, to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051013 **[MOU - Staff and Per Diem Nurses, SEIU Local 790]** Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Staff and Per Diem Nurses, SEIU Local 790, to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051014 **[MOU - Teamsters, Local 856 (Supervising Nurses)]** Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Supervising Nurses), to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051015 **[Unrepresented Employees]** Mayor

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2005.

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051016 **[MOU - Municipal Attorneys' Association]** Mayor

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051017 **[MOU - Municipal Executives' Association (Fire)]** Mayor

Ordinance adopting and implementing Amendment No. 1 to the

Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Fire) by implementing physical examination/drug and alcohol screening, and compensation provisions, to be effective July 1, 2005.

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051018 **[MOU - Municipal Executives' Association (Police)]** Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Police), by extending the term of Agreement to June 30, 2007.

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051019 **[MOU - American Physicians and Dentists (Unit 8-CC)]** Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC), by implementing an increased Child Psychiatric premium, to be effective July 1, 2005.

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051020 **[MOU - Union of American Physicians and Dentists (Unit 11-AA)]** Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA), by implementing increased Psychiatric and Child Pyschiatric premiums, to be effective July 1, 2005.

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051021 **[MOU - Service Employees International Union, Locals 250, 535 and 790]** Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790, by implementing additional compensation and premium pay, to be effective July 1, 2005.

(Fiscal impact.)

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051022 **[MOU - International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO]** Mayor

Ordinance adopting and implementing Amendment No. 4 to the

Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO, by implementing additional compensation and amending premium pay language, to be effective July 1, 2005.

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051023 **[MOU - Transport Workers Union, Local 200 (SEAM)]** Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2005 through June 30, 2006.

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051024 **[MOU - Laborers International Union, Local 261]** Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, by implementing provisions related to the Department of Public Works - Laborers Apprenticeship Project, to be effective July 1, 2005.

6/3/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051027 **[Entertainment Commission Permits, Licenses and Fees]** Mayor

Ordinance (1) amending the San Francisco Police Code by amending Sections 2.2, 2.9, 2.25, 2.26, 2.27, 2.31, 43, 43.2, 48 1037.2, and adding Sections 1060.1-1 and 1070.1-1, to (i) increase the application fees for Place of Entertainment permits and permits for Extended Hours Premises, and the annual license fees for Places of Entertainment and Mechanical Amusement Devices, to defray the City's annual costs of Entertainment Commission operations attributable to such permitted businesses, (ii) eliminate distinctions between commercial and non-commercial uses for purposes of loudspeaker permits (iii) and to make technical amendments and corrections, as specified; (2) amending the San Francisco Business and Tax Regulations Code by amending Sections 1.1, 1.2, 1.3, 1.51, 8, and 23, and adding Sections 249.17, 249.18, and 249.19, to make technical amendments and corrections in conformity with the amendments to the Police Code; and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the adjustments to the fees are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Entertainment Commission and Police Department, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to such entertainment-related permits and annual licenses.

6/7/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051029 **[Increasing cap on reimbursement for police costs at street fairs serving alcohol]** Supervisor McGoldrick

Ordinance amending Municipal Traffic Code, Article 21, Section 806 to increase cap on reimbursement for police costs at street fairs where alcohol

is served and making environmental findings.

6/7/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051030 **[Single Standard of Mental Health Access and Care]** Supervisors Daly, Peskin, Mirkarimi

Ordinance adding Section 15.23 to the Administrative Code to provide for single standard of mental health services access and care for indigent and uninsured San Francisco residents and residents who are Medi-Cal beneficiaries.

(Fiscal impact.)

6/7/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
6/14/05 - 30-Day Rule waived by President Peskin.

051031 **[Requiring additional reporting and recordkeeping by residential hotels and authorizing additional inspections]** Supervisor Daly

Ordinance amending the San Francisco Administrative Code by amending Section 41.9, to require additional reporting and recordkeeping by residential hotels and establishing additional inspection authority to ensure compliance with California Civil Code Section 1940.1.

6/7/05, RECEIVED AND ASSIGNED to Land Use Committee.

051032 **[Imposing development impact fees in the Rincon Hill Downtown Residential Mixed Use District to fund community stabilization programs]** Supervisor Daly

Ordinance amending the Planning Code by adding Section 319 to impose a community stabilization impact fee on residential development in the Rincon Hill Area Plan to provide community stabilization benefits including affordable housing, economic development and community cohesion, and to provide for requirements related to the inclusionary housing obligation on new development in the Rincon Hill Downtown Residential Mixed Use District, and making findings.

6/7/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051033 **[Disqualifying candidates with outstanding campaign finance fines or penalties or with court findings of knowing, willfull, or intentional violations of campaign finance laws in the prior 5** Supervisor Elsbernd

Ordinance amending Article I, Chapter 1 of the San Francisco Campaign and Governmental Conduct Code, by amending section 1.140 to disqualify any candidate with outstanding fines or penalties for violations of state or local campaign finance laws from participation in the public finance program and to render ineligible for participation for five years candidates found by a court to have knowingly, willfully or intentionally violated state or local campaign finance laws.

6/7/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/7/2005.

051034 **[Prohibiting the display of human remains** Supervisors Ma, Dufty

without appropriate written authorization from the deceased or the deceased's next-of-kin]

Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

6/7/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051035 **[Amendments to Electioneering Communications Ordinance]** **Supervisors Mirkarimi, Maxwell, Ammiano, Daly, Peskin**

Ordinance amending sections 1.104 and 1.161.5 of the Campaign and Governmental Conduct Code to provide that payments for electioneering communications made at the behest of a candidate are contributions to that candidate; to impose limits on the amount of payments that may be given or received for the purpose of making electioneering communications; and to require supplemental reporting by persons who make electioneering communications.

6/8/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/7/2005.

051036 **[0.25% Sales Tax Increase for Emergency Health Services]** **Supervisors Daly, Peskin, Ammiano, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval, Dufty**

Ordinance amending the San Francisco Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, for the purpose of providing additional support for emergency medical, hospital inpatient, outpatient, public health, mental health and substance abuse services to residents of the City and County of San Francisco; directing submission of the tax for voter approval at election and setting forth the ballot question therefor.

6/7/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee.
6/16/05 - 30-Day Rule waived by President Peskin.

051045 **[Appropriate proceeds from the sale of bonds and the Water Enterprise's Fund Balance to fund the SFPUC Water System Improvement Program for fiscal year 2005-06 and the first six-months of** **Mayor**

Ordinance appropriating $153,981,000 for project activities and $6,789,188 for program management services of bond sales proceeds, and $1,000,000 of the Water Enterprise's Fund Balance totaling $161,770,188 to fund the San Francisco Public Utilities Commission's (SFPUC) Water System Improvement Program for fiscal year 2005-06 and the first six-months of fiscal year 2006-07.

(Fiscal impact.)

6/7/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

050945 **[Supporting AB 22 (Lieber)]** Supervisors Ma, Maxwell, Dufty, Mirkarimi

Resolution urging the support of AB 22 (Lieber), the California Trafficking Victims Protection Act.

5/24/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

6/7/05, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Mirkarimi requested that this matter be referred to Committee.

050995 **[Redevelopment Agency Budget and Bonds]** Mayor

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2005-2006; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed $118,000,000 for the purpose of financing a portion of Redevelopment activities as described in such approved Budget for fiscal year 2005-2006.

(Fiscal impact.)

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050996 **[Redevelopment Agency Budget]** Mayor

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2005-2006.

(Fiscal impact.)

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050997 **[Treasure Island Development Authority Budget]** Mayor

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2005-2006.

(Fiscal impact.)

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050998 **[Interim Treasure Island Development Authority Budget]** Mayor

Resolution approving the Interim Budget of the Treasure Island Development Authority for fiscal year 2005-2006.

(Fiscal impact.)

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051028 **[Commending the Black Coalition on AIDS]** Supervisors Maxwell,

Dufty

Resolution commending the Black Coalition on AIDS for its years of critical work on behalf of San Francisco residents and in honor of its Third Annual Soul Food "Freedom" Brunch.

6/7/05, ADOPTED.

051037 **[Renew Joint Power and Revolving Fund Contract with State]** Supervisors Ma, Dufty

Resolution authorizing the Office of the District Attorney to enter into a Joint Power and Revolving Fund Contract with the California Victim Compensation and Government Claims Board to: (i) contract for, accept and expend up to $1,292,074 allocated from the California Victim Compensation and Government Claims Board for the assistance of victims and witnesses of crime for the period of July 1, 2005 through June 30, 2007; and (2) renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of $75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault for an additional two years, from July 1, 2005 through June 30, 2007.

6/7/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051039 **[Accept-Expend State Grant - District Attorney]** Supervisors Ma, Dufty

Resolution authorizing the Office of the District Attorney to contract for, accept and expend up to $172,758 allocated from the California Victim Compensation and Government Claims Board for a project entitled the Criminal Restitution Compact for the period of July 1, 2005 through June 30, 2007.

6/7/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051040 **[Accept-Expend Federal Grant - Police Department]** Mayor

Resolution Authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Department of Justice - Office of Community Oriented Policing for a project entitled "U.S. Department of Justice - Cops-In-Schools Program."

6/7/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051041 **[Urging California State Legislature to sponsor legislation prohibiting display of human remains]** Supervisors Ma, Dufty

Resolution urging the California State Legislature to sponsor legislation prohibiting the commercial display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

6/7/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051042 **[Accept-Expend Regional Grant - Department of the Environment]** Supervisor Daly

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $350,000 from the Bay Area Air Quality Management District to install a Diesel Emission Control (DEC) equipment on thirty-three (33) solid waste collection vehicles (SWCV).

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051043 **[Solidarity with Iraqi Democratic Labor Movement]** **Supervisor Peskin**

Resolution welcoming Iraqi labor leaders to San Francisco and declaring solidarity with the people of Iraq in their quest for peace, democracy, sovereignty and self-determination, and in particular with the democratic labor movement of Iraq.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051044 **[Multifamily Housing Revenue Bonds - 575 Eddy Street Apartments]** **Supervisor Daly**

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $5,000,000 for 575 Eddy Street Apartments; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $25,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $5,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

(Fiscal impact.)

6/7/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051046 **[Commending Winnie Tang]** **Supervisor Dufty**

Resolution commending Winnie Tang on the occasion of her retirement.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051047 **[Condemning the offensive and discriminatory training video shown to San Francisco 49er players and staff and urging the San Francisco 49ers to work cooperatively and diligently with the** **Supervisors Dufty, Ammiano, Ma, Maxwell, Daly, Mirkarimi**

Resolution condemning the offensive and discriminatory training video shown to San Francisco 49er players and staff and urging the San Francisco

49ers to work cooperatively and diligently with the Human Rights Commission to address issues of discrimination and to develop a plan of action for preventing future discrimination.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051048 **[Endorsing the bill of rights established by the San Francisco Children of Incarcerated Parents Partnership and urging relevant city agencies to work together towards its implementation]** — **Supervisors Dufty, Maxwell, Alioto-Pier, Sandoval**

Resolution endorsing the bill of rights established by the San Francisco Children of Incarcerated Parents Partnership and urging relevant city agencies to work together its implementation to reduce recidivism for parents and improve outcomes for children.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051104 **[Commending Armando Cervantes]** — **Supervisors Dufty, Maxwell, Elsbernd, Ma, Sandoval**

Resolution commending Armando Cervantes for his career as Adult Probation Chief.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051105 **[Commending the San Francisco Human Rights Commission for its findings of discrimination against SF Badlands and urging relevant agencies to impose penalties to the fullest extent of the** — **Supervisors Dufty, Ammiano, Maxwell, Alioto-Pier, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval**

Resolution commending the San Francisco Human Rights Commission for its findings of discrimination against SF Badlands and urging relevant agencies to impose penalties to the fullest extent of the law.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051106 **[Accept-Expend Federal Grant - Police Department]** — **Supervisors Dufty, Ma**

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Department of Justice - Office of Justice Programs for a project entitled "DNA Backlog Reduction Program."

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051107 **[Accept-Expend Federal Grant - Police Department]** — **Supervisors Dufty, Ma**

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Department of Justice - Office of Justice Programs for a project entitled "DNA Capacity Enhancement Program."

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051108 **[Accept-Expend State Grant - Police Department]** — **Supervisors Elsbernd, Ma**

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Office of Traffic Safety, a State agency, for a project entitled "California Seat Belt Compliance Campaign".

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051109 **[1939-1945 Ocean Avenue Medical Cannabis Dispensary]** — **Supervisors Elsbernd, Sandoval, Ma**

Resolution urging the City Attorney to diligently pursue code enforcement actions in order to address a medical cannabis dispensary at 1939-1945 Ocean Avenue which is in violation of the Planning Code.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051110 **[Commending the California Japanese American Community Leadership Counsel]** — **Supervisor Mirkarimi**

Resolution commending the California Japanese American Community Leadership Counsel for their work on developing the California Japantown Landmark.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051111 **[Urging the CPUC to impose the mitigation measures necessary to ensure that the proposed merger of SBC and AT&T is beneficial to the City and its residents and businesses]** — **Supervisors Mirkarimi, McGoldrick, Ammiano, Daly, Alioto-Pier**

Resolution urging the California Public Utilities Commission (CPUC) to impose the mitigation measures necessary to prevent adverse consequences from the proposed merger of SBC and AT&T and to ensure that the merger is beneficial to the City of San Francisco and the State of California and their respective residents and businesses.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051112 **[Endorsing Assembly Bill 1391- Reporting Loopholes Used by Campaign Committees]** — **Supervisors Mirkarimi, Sandoval, McGoldrick**

Resolution endorsing Assemblymember Leno's AB 1391 which would close reporting loopholes used by campaign committees that classify themselves as state or county committees to avoid more stringent city campaign finance disclosure requirements in local campaigns.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051113 **[Urging Support of the Permanent Berthing of the U.S.S. Iowa as a Museum at the Port of San** — **Supervisors Ma, Elsbernd, Alioto-Pier**

AGENDA AT THE NEXT BOARD MEETING.

051118 [Opposing Coal-Fired Power Plant] Supervisors Peskin, Mirkarimi, Ammiano, Alioto-Pier

Resolution opposing the proposed Sempra coal fired power plant in northern Nevada's Black Rock Desert and urging the City of Los Angeles to oppose Sempra's application to the Los Angeles Department of Water and Power to tap the Pacific Direct Current Intertie to carry electricity generated by the proposed plant.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051119 [Accept-Expend Federal Grant - Department of Public Works] Supervisors Peskin, Elsbernd

Resolution authorizing the Director of the Department of Public Works to accept and expend federal Surfacing Transportation Program funds totaling $2,100,000 for the North Point Street Pavement Renovation Project and the Monterey Boulevard Pavement Renovation Project.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051025 [Annual Budget, Fiscal Year 2005-06] Mayor

Hearing to consider the Annual Budget for Fiscal Year 2005-06.

6/1/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051038 [Budget updates] Supervisor Ammiano

Hearing to consider budget updates from the Mayor, Controller, Budget Analyst, Office of the Legislative Analyst, and City departments.

6/7/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

051010 [Appointment - Entertainment Commission, Jordan Shlain]

Motion approving the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission, term ending July 1, 2009. (Clerk of the Board)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.) Transmittal date - May 31, 2005

6/2/05, RECEIVED AND ASSIGNED to Rules Committee.

051011 **[Appointment - Entertainment Commission, Jordan Shlain]**

Motion rejecting the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission, term ending July 1, 2009. (Clerk of the Board)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.) Transmittal date - May 31, 2005

6/2/05, RECEIVED AND ASSIGNED to Rules Committee.

051026 **[Needle Exchange]** **Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

6/7/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051073 **[Appointment, War Memorial Board of Trustees - Charlotte Mailliard Shultz]**

Motion approving the Mayor's appointment of Charlotte Mailliard Shultz to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051074 **[Appointment, War Memorial Board of Trustees - Charlotte Mailliard Shultz]**

Motion rejecting the Mayor's appointment of Charlotte Mailliard Shultz to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051075 [Appointment, War Memorial Board of Trustees - Charlotte Mailliard Shultz]

Motion taking no position concerning the Mayor's appointment of Charlotte Mailliard Shultz to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051076 [Appointment, War Memorial Board of Trustees - Paul Pelosi]

Motion approving the Mayor's appointment of Paul Pelosi to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051077 [Appointment, War Memorial Board of Trustees - Paul Pelosi]

Motion rejecting the Mayor's appointment of Paul Pelosi to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051078 [Appointment, War Memorial Board of Trustees - Paul Pelosi]

Motion taking no position concerning the Mayor's appointment of Paul Pelosi to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of

appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051079 [Appointment, War Memorial Board of Trustees - Nancy Bechtle]

Motion approving the Mayor's appointment of Nancy Bechtle to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051080 [Appointment, War Memorial Board of Trustees - Nancy Bechtle]

Motion rejecting the Mayor's appointment of Nancy Bechtle to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051081 [Appointment, War Memorial Board of Trustees - Nancy Bechtle]

Motion taking no position concerning the Mayor's appointment of Nancy Bechtle to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051082 [Appointment, War Memorial Board of Trustees - Gina Moscone]

Motion approving the Mayor's appointment of Gina Moscone to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051083 [Appointment, War Memorial Board of Trustees - Gina Moscone]

Motion rejecting the Mayor's appointment of Gina Moscone to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051084 [Appointment, War Memorial Board of Trustees - Gina Moscone]

Motion taking no position concerning the Mayor's appointment of Gina Moscone to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051085 [Appointment, War Memorial Board of Trustees - Wilkes Bashford]

Motion approving the Mayor's appointment of Wilkes Bashford to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051086 [Appointment, War Memorial Board of Trustees - Wilkes Bashford]

Motion rejecting the Mayor's appointment of Wilkes Bashford to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051087 [Appointment, War Memorial Board of Trustees - Wilkes Bashford]

Motion taking no position concerning the Mayor's appointment of Wilkes Bashford to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051088 [Appointment, War Memorial Board of Trustees - Claude Jarman, Jr.]

Motion approving the Mayor's appointment of Claude Jarman, Jr. to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - May 24, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

051089 [Appointment, War Memorial Board of Trustees - Claude Jarman, Jr.]

Motion rejecting the Mayor's appointment of Claude Jarman, Jr. to the War Memorial Board of Trustees, term ending January 2, 2009. (Clerk of the Board)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - June 23, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Transmittal date - June 23, 2005.

6/3/05, RECEIVED AND ASSIGNED to Rules Committee.

Charter Amendment

050931 **[Charter Amendment - Provide retirement benefits for City employees on a par with other Bay Area cities and counties]** Supervisor Daly

Charter Amendment (Second Draft) to amend the Charter of the City and County of San Francisco by amending Sections A8.509, A8.526, A8.587-2, and 12.100 to increase retirement benefits to eligible employees.

(Fiscal impact.)

5/24/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2005. 6/3/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning, Environmental Review Officer; Budget Analyst; Retirement System; Civil Service; DHR; DHR-ERD; Health Service.

6/7/05, SUBSTITUTED. Supervisor Daly submitted a substitute Charter Amendment (Second Draft) bearing new title.

6/7/05, ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

050902 **[Settlement of Lawsuit - Torey Dylan Lovett]**

Ordinance authorizing the settlement of a lawsuit filed by Torey Dylan Lovett against the City and County of San Francisco and Sheriff's Department for $1,215,837.42; the lawsuit was filed on October 12, 2000, in San Francisco Superior Court, Case No. 315861, entitled Torey Dylan Lovett v. City and County of San Francisco, et al. This case was tried to a San Francisco jury and culminated in a judgment in favor of Lovett. The City appealed and the District Court of Appeals affirmed the judgment. (City Attorney)

5/23/05, RECEIVED AND ASSIGNED to Rules Committee.

050951 **[Settlement of Lawsuit - Anita Bohbot]**

Ordinance authorizing settlement of the lawsuit filed by Anita Bohbot against the City and County of San Francisco for $35,000; the lawsuit was filed on June 12, 2004 in the San Francisco Superior Court, Case No. 432-409; entitled Anita Bohbot v. City and County of San Francisco, et al. (City Attorney)

5/23/05, RECEIVED AND ASSIGNED to Rules Committee.

050969 **[Appropriate funding from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile** Supervisor Daly

delinquency cases for the S.F. Superior Court of California, for

Ordinance appropriating $260,000 from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for Superior Court of California, San Francisco for fiscal year 2004-05. (Superior Courts)

(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

5/24/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050970 **[Appropriate funding from the General Fund Reserve to fund over expenditures in salaries in the Office of the Public Defender for FY 2004-05]** Supervisors Sandoval, Daly

Ordinance appropriating $270,000 from the General Fund Reserve to fund over expenditures in salaries caused by the inability to meet attrition targets in the Office of the Public Defender for fiscal year 2004-05. (Public Defender)

(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

5/24/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050975 **[Settlement of claim filed by PG&E before the Federal Energy Regulatory Commission]**

Ordinance authorizing settlement of the Scheduling Coordinator Services Tariff case filed by Pacific Gas & Electric Company before the Federal Energy Regulatory Commission in Docket Nos. ER00-565-000 et al., ER04-1233-000 et al., and ER05-480-000. (City Attorney)

5/27/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

050949 **[Grant of an Access Easement - Lake Merced Golf Club]**

Resolution approving an Easement Agreement between Lake Merced Golf Club, a California not-for-profit corporation, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC"), for the grant of an access easement over SFPUC's Water Pipeline Right of Way in Daly City, San Mateo County. (Real Estate Department)

5/20/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050972 **[Report of assessment costs for sidewalk and curb repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

(DPW Order No. 175, 630; Locations: 131-133 Carl Street; 201 Capra Way; 411-15th Avenue.)

5/26/05, SCHEDULED FOR PUBLIC HEARING to Board of Supervisors. Scheduled for August 9, 2005, at 3:30 p.m.

050973 **[Professional services agreement to provide geotechnical and tunnel engineering services]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a professional services agreement with Jacobs Associates for an amount not to exceed $14,800,000 to provide geotechnical and tunnel engineering services for the Bay Division Pipelines Reliability Upgrade Project. (Public Utilities Commission)

(Fiscal impact.) Supervisor Daly dissenting in commitee

5/27/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050974 **[Program/Project/Pre-Construction Management Services for the Water System Improvement Program]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to award and execute a professional services agreement with Parsons Water and Infrastructure Inc. (as guaranteed by Parsons Corporation) for an amount not to exceed $45,000,000 to provide Program/Project/Pre-Construction Management Services for the San Francisco Water System Improvement Program. (Public Utilities Commission)

(Fiscal impact.)

5/27/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Public Health

Requesting/Inquiring: To investigate reports of residents repeatedly finding syringes on Cole Street between Haight and Page Streets and report on a plan of action to address this problem and how residents can request for disposal of such hazardous materials.

Please send a copy of the report to:

Robert Bhisitkul MD, PhD

10 Koret Way, Box 0730

San Francisco, CA 94143-0730

From: Supervisor Mirkarimi

To: Director, Department of Public Works

To: General Manager, MTA

Requesting/Inquiring: To report on which department is responsible for cleaning Richard Gamble Memorial Park (at Carl and Clayton) and the status of cleaning the park and watering the lawn.

Please send an electronic copy of the report to Kelly McCarthy at kmccarthy@tzllp.com

From: Supervisor Mirkarimi

To: Director, Department of Public Works

To: General Manager, Recreation and Park Department

Requesting/Inquiring: To report on the status of repaving the section of JFK Drive in Golden Gate Park that is closed to vehicular traffic on Sundays.

Please send an electronic copy of the report to Scott Rick at estreno@hotmail.com

From: Supervisor Mirkarimi

To: Public Defender

Requesting/Inquiring: To report how much money the Public Defender's Office is spending on defending 674(b) prosecutions as well as other charges like pimping and pandering?

From: Supervisor Mirkarimi

To: Sheriff

Requesting/Inquiring: To report how much money the Sheriff's Department is spending or earning on incarceration of prostitutes?

From: Supervisor Mirkarimi

To: District Attorney

Requesting/Inquiring: To report how much money the District Attorney's Office is spending or making on prostitution related prosecutions?

How much money is being paid into the

In Memoriams

Mr. Fred Willy Kauffmann - Supervisor Dufty

Mr. Nicholas Scott Faibish - Supervisors Mirkaimi, Dufty

Ms. Jean O'Leary - Supervisor Dufty

Mr. Jason G. Yuen - Supervisor Ma

Mr. Brian Fewer - Supervisor Ma

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:53 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 28, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAŸOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

SF
S90
#72

DOCUMENTS DEPT.
JUL 26 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, June 14, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick,*

Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m.

Quorum present.

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

050825 [Homeless Death Form] **Supervisors Dufty, Daly, Mirkarimi**

Ordinance amending the San Francisco Health Code by adding Sections 220 through 226, requiring those registering deaths with the Health Department to file a Homeless Death Form.

Enacted Number: 120-05

FINALLY PASSED

050721 [Liquor License, 238 Sansome Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license to Zain Azzghayer for business located at 238 Sansome Street, Suite 110 from 333 O'Farrell Street will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 445-05

ADOPTED

050765 [Liquor License, 57 New Montgomery Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine license to Mokles Hanna and Suhail Hanna for F-M Smokes & Wine located at 57 New Montgomery Street from 1560 Mason Street will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Enacted Number: 447-05

ADOPTED

050905 [Acceptance of Gift - Police Department's K-9 Unit]

Resolution authorizing the Chief of Police to accept, on behalf of the San Francisco Police Department, the gift of fifty thousand ($50,000.00) to use for the betterment of dogs in the Department's K-9 Units. (Police Department)

Enacted Number: 449-05

ADOPTED

Recommendations of the Land Use Committee

050724 [Zoning Map Amendment in connection with the Alabama and 18th Streets Affordable Housing Special Use District]

Ordinance amending the Sectional Zoning Map No. 7SU of the San Francisco Planning Code to incorporate the Alabama and 18th Streets Affordable Housing Special Use District as being applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings. (Planning Department)

Enacted Number: 117-05

FINALLY PASSED

050725 [Alabama and 18th Streets Affordable Housing Special Use District]

Ordinance amending the San Francisco Planning Code by adding Section 249.27 to create the Alabama and 18th Streets Affordable Housing Special Use District applicable to the block bounded by 18th, 19th, Alabama, and Florida Streets (Assessor's Block 4021, Lot 001); adopting findings. (Planning

Department)

Enacted Number: 118-05
FINALLY PASSED

Recommendations of the Rules Committee

050855 [Settlement of Lawsuit - Klara Khaimskaya]

Ordinance authorizing settlement of the lawsuit filed by Klara Khaimskaya against the City and County of San Francisco on October 16, 2003 in San Francisco Superior Court, Case No. 425-488, entitled Klara Khaimskaya, et al., v. City and County of San Francisco, et al. and authorizing a payment of $1,020,000. (City Attorney)

Enacted Number: 116-05
FINALLY PASSED

050856 [Settlement of Lawsuit - Nydia Rosales]

Ordinance authorizing settlement of the lawsuit filed by Nydia Rosales against the City and County of San Francisco for $40,000; the lawsuit was filed on March 24, 2003 in San Francisco Superior Court, Case No. 418-728; entitled Nydia Rosales, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 121-05
FINALLY PASSED

050857 [Settlement of Lawsuit - Nancy Enciso]

Ordinance authorizing settlement of the lawsuit filed by Nancy Enciso against the City and County of San Francisco for $200,000.00; the lawsuit was filed on August 18, 2004, in the Superior Court of the State of California, County of San Francisco, Case No. 433-927; entitled Nancy Enciso v. The City and County of San Francisco, Hugo Aguilera, et al. (City Attorney)

Enacted Number: 122-05
FINALLY PASSED

050726 [Settlement of Claims - Pacific Gas & Electric Company]

Ordinance approving the settlement of telephone users tax refund claim asserted by Pacific Gas & Electric Company against the City and County of San Francisco in a claim for refund, then in Pacific Gas & Electric Company v. City and County of San Francisco, United States Bankruptcy Court, Northern District of California, Case No. 01-30923-DM and Adv. No 04-3071 DM. (City Attorney)

Enacted Number: 119-05

FINALLY PASSED

050975 **[Settlement of claim filed by PG&E before the Federal Energy Regulatory Commission]**

Ordinance authorizing settlement of the Scheduling Coordinator Services Tariff case filed by Pacific Gas & Electric Company before the Federal Energy Regulatory Commission in Docket Nos. ER00-565-000 et al., ER04-1233-000 et al., and ER05-480-000. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

050595 **[Environmentally Preferable Purchasing for Commodities]** **Supervisors Maxwell, Daly, Mirkarimi, Ma, Ammiano**

Ordinance repealing Chapter 2 of the Environment Code which established an environmentally preferable purchasing pilot program and sections 507, 508 and 512 of Chapter 5 and Chapter 9 of the Environment Code which pertain to purchasing certain environmentally preferable commodities and enacting a new Chapter 2 of the Environment Code to establish a comprehensive City-wide Environmentally Preferable Purchasing Program for purchases of commodities; and making conforming changes in Environment Code sections 501, 506 and 511 and Administrative Code sections 21.16 and 21.30.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 115-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use Committee

050181 **[General Plan amendments in connection with the Transbay Redevelopment Plan]** Mayor, Supervisor Daly

Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

(Companion measure to Files 050181, 050182, 050183, and 050184.)

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050182 **[Zoning - Planning Code amendments in connection with the Transbay Redevelopment Plan]** Mayor, Supervisor Daly

Ordinance amending the Planning Code to add Sections 249.27, 263.18, 825, and 825.1 to establish special zoning controls in connection with the Transbay Redevelopment Plan; amending Planning Code Section 270 to reflect the new zoning changes to bulk controls set forth in Section 263.18; adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

RE-REFERRED to the Land Use Committee by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050183 **[Zoning Map amendments in connection with the** Mayor, Supervisor Daly

Transbay Redevelopment Plan]

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1, 1H, and 1SU of the Zoning Map of the City and County of San Francisco in connection with the Transbay Redevelopment Plan and an associated special use district with the Redevelopment Plan Project Area and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

RE-REFERRED to the Land Use Committee by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

From the Budget and Finance Committee Without Recommendation

051071 **[Annual Appropriation Ordinance for Municipal Transportation Agency, as of May 1, 2005, Fiscal Year 2005-2006]** Mayor

Ordinance appropriating all estimated receipts and all estimated expenditures for the Municipal Transportation Agency of the City and County of San Francisco as of May 1, 2005 for the fiscal year ending June 30, 2006.

(Fiscal impact) (Supervisors Daly, Ma dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

051072 **[Annual Salary Ordinance for the Municipal Transportation Agency, as of May 1, 2005, Fiscal Year 2005-2006]** Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Municipal Transportation Agency of the City and County of San Francisco as of May 1, 2005, for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact) (Supervisors Daly, Ma dissenting in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

Recommendations of the City Operations and Neighborhood Services Committee

050744 **[Supporting SB 437 and AB 772 - California Healthy Kids Insurance Program]** — **Mayor, Supervisors Ma, Dufty, McGoldrick, Ammiano**

Resolution supporting Senate Bill 437 and Assembly Bill 772, which would create the California Healthy Kids Insurance Program and extend all health insurance to low income children in California.

Supervisor Ammiano requested to be added as a co-sponsor.

Enacted Number: 446-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050427 **[Liquor License, 301 Randolph Street]**

Resolution disapproving the request for the transfer of a Type 21 off-sale general alcoholic beverage control license for Jacqueline Badenhausen and Abdo Alkasmy for Brotherhood Marker & Deli from 308 Randolph Street to 301 Randolph Street, and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code.

Enacted Number: 444-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

051010 **[Appointment - Entertainment Commission, Jordan Shlain]**

Motion approving the Mayor's nomination for appointment of Jordan Shlain to the Entertainment Commission, term ending July 1, 2009. (Clerk of the Board)

(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the

nominee shall be deemed approved.) Transmittal date - May 31, 2005

Enacted Number: M05-90

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050356 **[Charter Amendment - Moving the Election Date of the Public Defender and Assessor/Recorder]** **Supervisors Mirkarimi, Alioto-Pier**

Charter amendment (First Draft) to amend Section 13.101 to move the election date of the Public Defender and Assessor-Recorder from the Statewide Primary Election in June to the following General Municipal Election in November.

Continued to June 21, 2005.

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Sandoval introduced, welcomed, and presented a Certificate of Honor to Dioscoro R. Recio.

Supervisor Daly introduced, welcomed, and presented a Certificate of Honor to the Trinity Plaza Tenants Association.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

050770 **[Hearing - Redevelopment Plan for the Transbay**

Redevelopment Project Area]

Hearing to consider possible adoption of an Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance. (Clerk of the Board)

The President inquired as to whether members of the public wished to address the Board.

Public Speakers: none.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

From the Budget and Finance Subcommittee and Committee of the Whole

050184 [Adopting the Redevelopment Plan for the Transbay Redevelopment Project] **Mayor, Supervisor Daly**

Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan and related documents and agreements (including a Tax Increment Allocation and Sales Proceeds Pledge Agreement and an Option Agreement with the Redevelopment Agency of the City and County of San Francisco and the Transbay Joint Powers Authority) are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33679; authorizing official acts (including the execution of agreements) in furtherance of this ordinance.

(Fiscal impact.)

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW

TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; authorizing official acts in furtherance of this ordinance.

(Fiscal impact.)

Order to be heard by the Board of Supervisors sitting as a Committee of the Whole on June 21, 2005 as a Special Order at 4:00 p.m.The public hearing will only address the amendments introduced at the June 14, 2005 Board of Supervisors' Meeting.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:30 P.M.

Board of Supervisors Sitting as a Committee of the Whole

050933 **[Hearing - Ground Lease of Redevelopment Agency Land for 275 10th Street Supportive Housing]**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3518, Lots 14, 17 and 29, which is located on the southeast corner of Folsom and Dore Streets and fronts 10th Street, San Francisco, California (the "Site"), to EPISCOPAL COMMUNITY SERVICES OF SAN FRANCISCO, a California nonprofit public benefit corporation, for 65 years for the purpose of developing housing for very low income households; adopting findings pursuant to Section 33433 of the California Community Redevelopment Law. (Clerk of the Board)

The President inquired as to whether members of the public wished to address the Board.Olsen Lee representing the Redevelopment Agency summarized the issue.

Public Speakers:

Kelly Wilkenson

Male speaker

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

050934 **[Ground Lease of Redevelopment Agency Land for 275 10th Street Supportive Housing]** Supervisor Daly

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 3518, Lots 14, 17 and 29, San Francisco, California (the "Site"), to EPISCOPAL COMMUNITY SERVICES OF SAN FRANCISCO, a California nonprofit public benefit corporation, for 65 years for the purpose of developing housing for very low income households; adopting findings pursuant to Section 33433 of the California Community Redevelopment Law.

Enacted Number: 450-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

COMMITTEE REPORTS

050915 **[Appropriate funding from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05]** Supervisor Daly

Ordinance appropriating $51,000 from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050882 **[Street Resurfacing, Pedestrian Safety and Access Improvement General Obligation Bonds]** Supervisors Ammiano, Peskin

Resolution determining and declaring that the public interest and necessity demand the acquisition, construction or completion of street reconstruction, pavement renovation, disabled access curb ramp construction, sidewalk and street improvements, street structure rehabilitation and improvements, pedestrian safety street and signal improvements, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated cost of $208,000,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded

indebtedness; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53.

(Fiscal impact.)

Enacted Number: 448-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Gilbert Griswall; expressed concerns for traffic safety issues

James Chaffe; expressed concerns of library issues

Female speaker; expressed concerns of public housing issues

Male speaker; expressed concerns of foods program and family therapy

Male speaker; expressed views of religious issues

Eugene Bosilan Jr.; expressed concerns of fiscal issue and market speculation

Female speaker; translating for various speakers of the Mission Resource Center

Male speaker; expressed concerns of the status of the Mission Resource Center

Male speaker; expressed concerns for public housing

Norm DePov; expressed concerns for the Center for Public Health and housing resource centers

Male speaker; expressed concerns for the Mission Resource Center

David Rumsy; expressed concerns for the Black Rock Desert Coal Power Plant in Nevada

Male speaker; expressed concerns for the Black Rock Desert Coal Power Plant in Nevada

Female speaker; expressed concerns for the Black Rock Desert Coal Power Plant in Nevada

Mr. Boyo, expressed concerns for fund raising and budget issues

Deborah Hardy, expressed concerns for the Municipal Transportation Agency budget

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051042 **[Accept-Expend Regional Grant - Department of the Environment]** **Supervisor Daly**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $350,000 from the Bay Area Air Quality Management District to install a Diesel Emission Control (DEC) equipment on thirty-three (33) solid waste collection vehicles (SWCV).

Enacted Number: 451-05

ADOPTED

051043 **[Solidarity with Iraqi Democratic Labor Movement]** **Supervisor Peskin**

Resolution welcoming Iraqi labor leaders to San Francisco and declaring solidarity with the people of Iraq in their quest for peace, democracy, sovereignty and self-determination, and in particular with the democratic labor movement of Iraq.

Enacted Number: 452-05

ADOPTED

051046 **[Commending Winnie Tang]** **Supervisor Dufty**

Resolution commending Winnie Tang on the occasion of her retirement.

Enacted Number: 453-05

ADOPTED

051047 **[Condemning the offensive and discriminatory training video shown to San Francisco 49er players and staff and urging the San Francisco 49ers to work cooperatively and diligently with the** **Supervisors Dufty, Ammiano, Ma, Maxwell, Daly, Mirkarimi**

Resolution condemning the offensive and discriminatory training video shown to San Francisco 49er players and staff and urging the San Francisco 49ers to work cooperatively and diligently with the Human Rights Commission to address issues of discrimination and to develop a plan of action for preventing future discrimination.

Enacted Number: 454-05

ADOPTED

051104 [Commending Armando Cervantes] Supervisors Dufty, Maxwell, Elsbernd, Ma, Sandoval

Resolution commending Armando Cervantes for his career as Adult Probation Chief.

Supervisors Elsbernd, Ma and Sandoval requested to be added as co-sponsors.

Enacted Number: 455-05

ADOPTED

051106 [Accept-Expend Federal Grant - Police Department] Supervisors Dufty, Ma

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Department of Justice - Office of Justice Programs for a project entitled "DNA Backlog Reduction Program."

Enacted Number: 457-05

ADOPTED

051107 [Accept-Expend Federal Grant - Police Department] Supervisors Dufty, Ma

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Department of Justice - Office of Justice Programs for a project entitled "DNA Capacity Enhancement Program."

Enacted Number: 458-05

ADOPTED

051108 [Accept-Expend State Grant - Police Department] Supervisors Elsbernd, Ma

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the

California Office of Traffic Safety, a State agency, for a project entitled "California Seat Belt Compliance Campaign".

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 459-05

ADOPTED

051109 **[1939-1945 Ocean Avenue Medical Cannabis Dispensary]** **Supervisors Elsbernd, Sandoval, Ma**

Resolution urging the City Attorney to diligently pursue code enforcement actions in order to address a medical cannabis dispensary at 1939-1945 Ocean Avenue which is in violation of the Planning Code.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 460-05

ADOPTED

051110 **[Commending the California Japanese American Community Leadership Counsel]** **Supervisor Mirkarimi**

Resolution commending the California Japanese American Community Leadership Counsel for their work on developing the California Japantown Landmark.

Enacted Number: 461-05

ADOPTED

051112 **[Endorsing Assembly Bill 1391- Reporting Loopholes Used by Campaign Committees]** **Supervisors Mirkarimi, Sandoval, McGoldrick**

Resolution endorsing Assemblymember Leno's AB 1391 which would close reporting loopholes used by campaign committees that classify themselves as state or county committees to avoid more stringent city campaign finance disclosure requirements in local campaigns.

Supervisor Sandoval requested to be added as a co-sponsor.

Enacted Number: 462-05

ADOPTED

051114 **[Commending the Rebuilding San Francisco Project on their efforts to produce a documentary detailing the story of rebuilding San Francisco after the Great Earthquake]** **Supervisors Ma, Dufty**

Resolution commending the Rebuilding San Francisco Project on their efforts to produce a documentary detailing the story of rebuilding San Francisco after the Great Earthquake of 1906.

Enacted Number: 463-05
ADOPTED

051115 **[Accept-Expend State Grant - Police Department]** **Supervisors Ma, Dufty**

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the California Office of Traffic Safety (OTS), a State agency, for a project entitled "Sobriety Checkpoint Program for Local Law Enforcement Agencies."

Enacted Number: 464-05
ADOPTED

051116 **[Urging the Port to facilitate PG&E's construction of the Potrero-Hunters Point 115KV Cable Project and PG&E to obtain tenancy in good standing with the Port]** **Supervisors Maxwell, Alioto-Pier, Ammiano, Dufty, Ma, McGoldrick, Peskin**

Resolution urging the Port to facilitate PG&E's construction of the Potrero-Hunters Point 115KV Cable Project and PG&E to obtain tenancy in good standing with the Port.

Enacted Number: 465-05
ADOPTED

051118 **[Opposing Coal-Fired Power Plant]** **Supervisors Peskin, Mirkarimi, Ammiano, Alioto-Pier**

Resolution opposing the proposed Sempra coal fired power plant in northern Nevada's Black Rock Desert and urging the City of Los Angeles to oppose Sempra's application to the Los Angeles Department of Water and Power to tap the Pacific Direct Current Intertie to carry electricity generated by the proposed plant.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

Enacted Number: 466-05
ADOPTED

051119 **[Accept-Expend Federal Grant - Department of Public Works]** **Supervisors Peskin, Elsbernd**

Resolution authorizing the Director of the Department of Public Works to accept and expend federal Surfacing Transportation Program funds totaling $2,100,000 for the North Point Street Pavement Renovation Project and the Monterey Boulevard Pavement Renovation Project.

Enacted Number: 467-05
ADOPTED

051026 [Needle Exchange] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-91
APPROVED

051097 [Final Map for a 139 Unit Mixed Use Condominium Project - 333 First Street]

Motion approving Final Map of 333 First Street, A Mixed Use Condominium Project, being a subdivision of Lot 34 in Assessor's Block No. 3748, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,402; District 6.)

Enacted Number: M05-88
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

051098 [Final Map for a 206 Unit Residential Condominium Project - 355 First Street]

Motion approving Final Map of 355 First Street, A Residential Condominium Project, being a subdivision of Lot 35 in Assessor's Block No. 3748, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,403; District 6.)

Enacted Number: M05-89
APPROVED

Severed from Without Committee Reference

051105 **[Commending the San Francisco Human Rights Commission for its findings of discrimination against SF Badlands and urging relevant agencies to impose penalties to the fullest extent of the** — **Supervisors Dufty, Ammiano, Maxwell, Alioto-Pier, Daly, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval**

Resolution commending the San Francisco Human Rights Commission for its findings of discrimination against SF Badlands and urging relevant agencies to impose penalties to the fullest extent of the law.

Supervisor Dufty requested that this matter be severed so that it might be considered separately.

Supervisor Dufty, seconded by Supervisor Elsbernd, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051111 **[Urging the CPUC to impose the mitigation measures necessary to ensure that the proposed merger of SBC and AT&T is beneficial to the City and its residents and businesses]** — **Supervisors Mirkarimi, McGoldrick, Ammiano, Daly, Alioto-Pier**

Resolution urging the California Public Utilities Commission (CPUC) to impose the mitigation measures necessary to prevent adverse consequences from the proposed merger of SBC and AT&T and to ensure that the merger is beneficial to the City of San Francisco and the State of California and their respective residents and businesses.

Supervisor Elsbernd requested that this matter be severed so that it might be referred to committee.

Supervisor Alioto-Pier requested to be added as a co-sponsor.

REFERRED to the City Operations and Neighborhood Services Committee.

051113 **[Urging Support of the Permanent Berthing of the U.S.S. Iowa as a Museum at the Port of San Francisco]** — **Supervisors Ma, Elsbernd, Alioto-Pier**

Resolution urging the San Francisco Congressional delegation to support the permanent berthing of the U.S.S. Iowa as a Museum at the Port of San Francisco.

(Supervisor McGoldrick Dissenting in Committee)

Supervisor Ammiano requested that this matter be severed so that it might be referred to committee.

REFERRED to the Land Use Committee.

051117 **[Urging the California Public Utilities Commission to order PG&E to pay a substantial fine and to take necessary corrective measures to prevent future indoor substation fires and outages]** — **Supervisors McGoldrick, Mirkarimi, Maxwell, Ammiano**

Resolution urging the California Public Utilities Commission (CPUC) to require PG&E to take all measures necessary to ensure that PG&E substations are safe and reliable, urging the CPUC to impose a substantial fine on PG&E for allowing unsafe and unreliable conditions to develop and persist at the Mission Substation, and calling on PG&E to compensate all persons, businesses and governmental entities that suffered economic harm as a result of any PG&E electrical outages.

Supervisor Ma requested that this matter be severed so that it might be referred to committee.

REFERRED to the City Operations and Neighborhood Services Committee.

051048 **[Endorsing the bill of rights established by the San Francisco Children of Incarcerated Parents Partnership and urging relevant city agencies to work together towards its implementation]** — **Supervisors Dufty, Maxwell, Alioto-Pier, Sandoval**

Resolution endorsing the bill of rights established by the San Francisco Children of Incarcerated Parents Partnership and urging relevant city agencies to work together its implementation to reduce recidivism for parents and improve outcomes for children.

Supervisor Ammiano requested that this matter be severed so that it might be referred to committee.

Supervisors Alioto-Pier and Sandoval requested to be added as co-sponsors.

REFERRED to the City Operations and Neighborhood Services Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding] Motion that the Board find that for the resolution (s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved ADOPTION of the Serious Injury Findings. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved ADOPTION of the Brown Act Findings. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051132 **[Urging support of the Hinchey-Rohrbacher amendment to the Science, State, Justice and Commerce (SSJC) Appropriations bill to prohibit federal medicinal cannabis enforcement]** **Supervisor Mirkarimi**

Resolution urging U.S. Representative of the 8th Congressional District of California and Minority Leader of the United States Congress Nancy Pelosi to use all resources at her disposal to pass the Hinchey-Rohrbacher amendment to the Science, State, Justice and Commerce (SSJC) Appropriations bill. Version.

Enacted Number: 468-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051130 **[Government Funding, Fiscal Year 2005-2006]** **Mayor**

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

(Fiscal impact.)

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051131 **[Public Employment, Fiscal Year 2005-2006]** **Mayor**

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051133 **[Repealing Revolving Fund for Commission on the Status of Women]** Mayor

Ordinance amending the Administrative Code by repealing section 10.169-11 to eliminate the Commission on the Status of Women's revolving fund.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06.

051135 **[Requiring City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation** Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.19-5, to require City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06. .

051136 **[Establishing the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services]** Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-290, to establish the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06.

051137 **[Prohibiting the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or** Mayor

federal law, by voter initiative, or by the County

Ordinance amending the San Francisco Aministrative Code by adding Section 20.30, to prohibit the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County Adult Assistance Programs.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06.

051138 **[Authorizing department heads to accept and expend donations from recognized non-profit organizations for specified improvements to City-owned recreation, library, cultural or health** Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.88, to authorize department heads to accept and expend donations from recognized non-profit organizations to augment approved seismic upgrading, provide equipment, facility improvements or expansion and/or modification of City-owned recreation, library, cultural or health facilities.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06.

051139 **[Authorizing the Sheriff and Police Departments to implement a booking fee and seek State reimbursement; providing for cost recovery]** Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 8.27-1, to authorize the Sheriff and Police Departments to implement a booking fee and seek State reimbursement and to direct the Controller to provide for full cost recovery between the departments.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06.

051141 **[Public Works Construction - Use of Recycled Content Materials]** Mayor, Supervisor Ma

Ordinance amending Chapter 6 of the Administrative Code by amending section 6.4 to require recycled content materials to be used in public works and improvements to the maximum extent feasible.

6/14/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051142 **[Construction and Demolition Debris Recovery]** Mayor, Supervisor Ma

Ordinance amending the Building Code by adding Section 106.3.2.6; amending the Health Code by adding Sections 288 and 288.1; and amending the Environment Code by adding Chapter 13, entitled Construction and Demolition Debris Recovery Ordinance, to establish a comprehensive program to require the recovery rather than landfill disposal of construction and demolition debris generated in San Francisco by prohibiting disposal of

such debris with garbage; imposing requirements and conditions in building permits; establishing a program to register construction and demolition debris transporters and processing facilities; and establishing enforcement mechanisms including penalties.

6/14/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/14/2005.

051150 **[Parking Meter Rates]** Supervisor McGoldrick

Ordinance amending the San Francisco Traffic Code by amending Section 203.1 to increase the rate for parking meters in Parking Meter Area Number One to three dollars and fifty cents ($3.50) an hour.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051151 **[Application of the City's Conflict of Interest Laws To Members Of The Landmarks Preservation Advisory Body]** Supervisor Peskin

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 3.203 to apply the City's conflict of interest laws to members of the Landmarks Preservation Advisory Body.

6/14/05, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

051134 **[Plan to spend additional funds from Human Services Care Fund]** Mayor

Resolution submitting plan from the Human Services Agency explaining how it intends to spend revenues received by the Human Services Care Fund in excess of $11.9 million authorized by the Fund.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06. This resolution must be passed before the Board approval of the annual appropriation ordinance. See Line 19 - 20, page 1.

051140 **[Proposition J Contract/Museum Security Guard Services for Asian Art Museum/Fiscal Emergency]** Mayor

Resolution concurring with the Controller's certification that security guard services for the Asian Art Museum can be performed by private contractor for a lower cost than similar work performed by City and County employees.

(Supervisors Elsbernd and Ma Dissenting in Committee)

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06.

051143 **[Proposition J Contract/Camp Mather Operations for Recreation and Parks Department/Fiscal Emergency]** Mayor

Resolution concurring with the Controller's certification that Camp Mather Operations for Recreation and Parks Department can be performed by private contractor for a lower cost than similar work performed by City and County employees.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06.

051144 **[Proposition J Contract/Sign Posting for Events for Police Department/Fiscal Emergency]** Mayor

Resolution concurring with the Controller's certification that sign posting for various events for the Police Department can be performed by private contractor for a lower cost than similar work performed by City and County employees.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06.

051145 **[Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]** Mayor

Resolution concurring with the Controller's certification that services previously approved under Proposition J can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: central shops security and convention facilities management services (Admin Services); shuttle bus and information booth services (Airport); budget analyst (Board of Supervisors); paratransit services (Municipal Railway); citation information, coin counting and collection, janitorial and landscaping, security, and towing services (Parking & Traffic); security services (Public Works); Project S.A.F.E. (Police); janitorial and security services (Port); and jail food services (Sheriff).

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06.

051146 **[Proposition J Contract/City Hall Events Security/Fiscal Emergency]** Mayor

Resolution concurring with the Controller's certification that City Hall events security can be performed by private contractor for a lower cost than similar work performed by City and County employees.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06.

051147 **[Proposition J Contract/Body Removal Services For Medical Examiner's Office/Fiscal Emergency]** Mayor

Resolution concurring with the Controller's certification that body removal services for the Medical Examiner's Office, Department of Administrative

Services can be performed by private contractor for a lower cost than similar work performed by City and County employees.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. The Mayor requests this item be heard before the Budget & Finance Committee in the process of the Board's consideration of the Mayor's proposed budget for FY 2005-06.

051148 **[Public Education Enrichment Fund]** Supervisor Ammiano

Resolution approving the San Francisco Unified School District and the First Five Commission's expenditure plans for the Public Education Enrichment Fund.

6/14/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051159 **[Accept and Expend Gift - Robin and Marsha Williams]** Supervisor Alioto-Pier

Resolution accepting a gift in the amount of $80,000 from Robin and Marsha Williams and authorizing its expenditure to repair and improve a retaining wall and median strip on Seacliff Avenue.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051160 **[Accept-Expend State Grant - Recreation and Park Department]** Supervisor Alioto-Pier

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend local assistance funds in the amount of $25,000 available under the Waste Tire Playground Cover Grant Program FY 2004-2005, through the California Integrated Waste Management Board, for Alta Plaza Park.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051161 **[Supporting the right of women to breastfeed in public]** Supervisors Alioto-Pier, Dufty, Elsbernd, Maxwell, Daly, Ma, Mirkarimi

Resolution supporting the right of women to breastfeed in public.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051162 **[Trinity Plaza Development Agreement]** Supervisor Daly

Resolution stating as a matter of policy of the Board of Supervisors that any Development Agreement presented to the Board for approval concerning the proposed Trinity Plaza development project at 1177 Market Street should contain specified unit affordability, tenant protection provisions, and required project amenities comparable to those currently enjoyed at 1169 Market Street.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051163 **[Urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of** Supervisors Daly, Mirkarimi, Sandoval,

Representatives sponsoring H.Con.Res.35, to call on the President to withdraw U.S. troops from Iraq] — Ammiano, Peskin, McGoldrick

Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, introduced by Representative Lynn Woolsey.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051164 **[Ground Lease of Redevelopment Agency Land for Parkview Terraces Senior Housing (871-881 Turk Street)]** — Supervisors Daly, Mirkarimi

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 761, Lot 29, commonly known as 871-881 Turk Street, southeast corner of Turk and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to PARKVIEW TERRACE PARTNERS, L.P., a California limited partnership, for 60 years for the purpose of developing housing for very low-income senior households.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051165 **[Commending Yvette Stuart]** — Supervisor Dufty

Resolution commending Yvette Stuart on the occasion of her retirement.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051166 **[Commending Dennis Smith]** — Supervisors Dufty, Maxwell, Alioto-Pier

Resolution commending Dennis Smith upon his graduation from Mission High School and recognizing his many outstanding accomplishments, and wishing him well in his recovery.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051167 **[Commending Natalie Berg]** — Supervisors Dufty, Peskin, Elsbernd, Ma

Resolution commending Natalie Berg on her outstanding community leadership and the successful completion of her two-year term as President of the Jewish Community Relations Council.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051168 **[Commending the students involved in the COLAGE Youth Leadership and Action Program]** — Supervisors Dufty, Ammiano, Ma

Resolution commending the students involved in the COLAGE Youth Leadership and Action Program for their efforts to promote awareness and acceptance about issues related to youth with LGBT parents.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051169 **[Recognizing June 2005 as "National Safety Month" in San Francisco]** Supervisor Ma

Resolution recognizing June 2005 as "National Safety Month" in San Francisco.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051170 **[Commending the Stern Grove Festival Association]** Supervisors Ma, Elsbernd

Resolution commending the Stern Grove Festival Association for its work planning and organizing the 68th Annual Stern Grove Festival in San Francisco and congratulating the Association on the rededication of new facilities at Sigmund Stern Grove and the Rhoda Goldman Concert Meadow.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051171 **[Commending Mati Bates]** Supervisors Maxwell, Dufty

Resolution commending Mati Bates for a successful career with the City and county of San Francisco, and wishing her a happy retirement.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051172 **[Accept-Expend State Grant - Mayor's Office of Criminal Justice]** Supervisors Maxwell, Dufty

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of $116,941 from the State Board of Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051173 **[Accept-Expend State Grant - Mayor's Office of Criminal Justice]** Supervisor Maxwell

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of $200,000 from the State Board of Corrections for the purpose of implementing the Read Into Your Future Project through the Title II Formula Grant Program.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051174 **[Accept-Expend State Grant - Mayor's Office of Criminal Justice]** Supervisors Maxwell, Dufty

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of $2,187,092 from the State Board of Corrections (BOC), from funds made available under Senate Bill 736 - known as the Juvenile Justice Crime Prevention Act (JJCPA) - for programs and approaches that have been demonstrated to be effective in reducing delinquency.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

051175 **[Commending Intersection for the Arts 40th Anniversary]** **Supervisors Mirkarimi, Daly**

Resolution commending the Intersection for the Arts on the occasion of their 40th anniversary of providing an alternative, independent art space and eclectic, diverse arts programming to San Francisco's communities.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051176 **[Urging California Legislature to draft and pass a bill concerning exposure to depleted uranium by members of the armed forces]** **Supervisor Mirkarimi**

Resolution urging California Legislature to draft and pass a bill concerning exposure to depleted uranium by members of the armed forces who return to California after service in the military.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051177 **[Declaring June 20, 2005 Judy Finelli Day in San Francisco]** **Supervisor Peskin**

Resolution declaring June 20, 2005 Judy Finelli Day in San Francisco.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051178 **[Accept-Expend State Grant - Recreation and Park Department]** **Supervisors Sandoval, Ma**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend local assistance funds in the amount of $2,314,500 available under the Murray-Hayden Grant Program in the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the Minnie and Lovie Ward Recreation Center Renovation Project.

6/14/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

050977 **[Committee of the Whole - Bielenson Hearing]**

Hearing to consider the Department of Public Health's budget eliminating or reducing medical services. (Bielenson Hearing) (See Public Notice posted outside the Clerk of the Board's Office, Room 244, City Hall)

6/14/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 050886, Board to sit as a Committee of the Whole on June 21, 2005 at 3:00 p.m. 6/3/05 - Received electronic communication from Director of Health informing that DPH posted written public notice of the FY 2005-2006 Budget reductions pursuant to Ca. Health & Safety Code 1442.5 (a) subject to Bielenson Hearing. 6/3/05 - Public Notice posted on Board of Supervisors kiosk.

051152 **[2004-2005 Civil Grand Jury Report - What is the Difference Between a Contract and a** **Supervisor Peskin**

Grant?]

Hearing on the recently published 2004-2005 Civil Grand Jury report regarding what is the difference between a contract and a grant.

6/14/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051153 **[2004-2005 Civil Grand Jury Report - City Contracting and Affirmative Action]** Supervisor Peskin

Hearing on the recently published 2004-2005 Civil Grand Jury report regarding City contracting and affirmative action.

5/14/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051154 **[Youth Commission's Annual Report]** Supervisor McGoldrick

Hearing to consider the Youth Commission's Annual Report.

6/14/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051155 **[Update on the Proposition 63]** Supervisor Dufty

Hearing to provide an update on the Proposition 63 planning process and expected allocation of resources for San Francisco.

6/14/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051156 **[Programs and Policies for Dislocated Workers]** Supervisor Maxwell

Hearing on the City's policies and programs for dislocated workers, particularly those in the blue-collar industries.

6/14/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051158 **[Hearing - Redevelopment Plan for the Transbay Redevelopment Project]**

Hearing to allow public comment regarding amendments made on June 14 to File No. 050184, an ordinance adopting the Transbay Redevelopment Plan. (Clerk of the Board)

6/14/05, ASSIGNED to Board of Supervisors. Pursuant to File No. 050184, Board to sit as a Committee of the Whole June 21, 2005, at 4:00 p.m.

Motions

051149 **[Webpage maintenance by individual members of the Board of Supervisors]** Supervisor Daly

Motion amending the Rules of Order of the Board of Supervisors by amending Rule 6.22 to expressly permit individual members of the Board of Supervisors to maintain and update Webpages hosted on the Website of the Board of Supervisors.

6/14/05, RECEIVED AND ASSIGNED to Rules Committee.

051157 **[Legislative Analyst Request - Dislocated Workers]** Supervisor Maxwell

Motion requesting the Legislative Analyst to research and report on the types/models adopted by cities across the country to address the transition of dislocated workers of manufacturing industries such as garment, electronics, and food into new careers.

6/14/05, ASSIGNED to Board of Supervisors. Scheduled for consideration June 21, 2005.

Charter Amendment

050918 **[Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]** Supervisor Elsbernd

Charter Amendment (Second Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

5/24/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/23/2005. 6/3/05 - Referred to Controller; Mayor; City Attorney; Ethics Commission; City Administrator; Administrative Services Director; Planning, Environmental Review Officer; Budget Analyst.

6/14/05, SUBSTITUTED. Supervisor Elsbernd submitted a substitute Charter Amendment (Second Draft) bearing same title.

6/14/05, ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

051096 **[Extension of as-needed architectural services agreements for various public work projects]**

Ordinance approving extension of As-Needed Architectural Services agreements with (1) Joe Chow & Associates for completion of the San Francisco General Hospital SwissRay Digital Chest Installation Project (Specification No. 6299A), the San Francisco General Hospital Orthopedic Room Renovation 3M (Specification No. 6288A), the San Francisco General Hospital 1x65 Radiology Department Remodel (Specification No. 6377A), the San Francisco General Hospital TBI Bathroom Remodel 4B (Specification No. 6246A), (2) Carey & Co., for completion of the Tom Waddell Health Center Elevator Replacement (Specification No. 6126A), and (3) Levy Design for the completion of the Coffman Pool Reconstruction Project (Specification No. 6214A), under Administrative Code Chapter 6, section 6.64. (Public Works Department)

6/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

6/15/05, TRANSFERRED to Government Audit and Oversight Committee.

051099 **[Authorizing Payment of Attorney's Fees and Costs After Appeal]**

Ordinance authorizing the payment of $37,240.25 in attorney's fees and

costs after the appeal in the lawsuit filed by John Baba, Philip Brady, Sergio Iantorno, John Zanghi, and Arnold W. Evje, II, against the Board of Supervisors of the City and County of San Francisco, the Residential Rent Stabilization and Arbitration Board of the City of the City and County of San Francisco, and the City and County of San Francisco. The lawsuit was filed on August 30, 2002, and the motion for attorney's fees and costs on appeal was filed on May 9, 2005, in San Francisco Superior Court (Case No. CPF-02-501589). (City Attorney)

6/6/05, RECEIVED AND ASSIGNED to Rules Committee.

051100 **[Settlement of Lawsuit - Francine Davis]**

Ordinance authorizing settlement of the lawsuit filed by Francine Davis against the City and County of San Francisco for $170,000; the lawsuit was filed on May 28, 2004 in San Francisco Superior Court, Case No. 431-854; entitled Francine Davis, et al., v. City and County of San Francisco, et al. (City Attorney)

6/6/05, RECEIVED AND ASSIGNED to Rules Committee.

051101 **[Settlement of Lawsuit - San Francisco Unified School District]**

Ordinance authorizing settlement of the lawsuit filed by the San Francisco Unified School District against the City and County of San Francisco by provision of credits and rate reductions not to exceed $225,000 on past sewer service and future sewer and water service, for FY 2004-06; the lawsuit was filed on November 12, 2004 in San Francisco Superior Court, Case No. 436-240; entitled San Francisco Unified School District, et al., v. City and County of San Francisco, et al. (City Attorney)

6/6/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

050978 **[Accept-Expend Regional Grant]**

Resolution authorizing the Airport Commission to accept and expend four (4) grants totaling $276,070 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators. (Airport Commission)

6/3/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

050979 **[Contract funds to participate in the HIV Prevention Trials Unit Protocol 039 study]** **Supervisor Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with PHFE Management Solutions (PHFE), the primary contractor, and expend funds in the amount of $51,934 in order to participate in the HIV Prevention Trials Unit Protocol 039 study; for the period of July 1, 2004, to June 30, 2005. (Public Health Department)

6/2/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051056 **[STOP Intersections]** **Supervisor Elsbernd**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Haight and Shrader Street, stopping Haight Street at Shrader Street, making this an All-Way STOP;
Gladstone Drive at Maynard Street, stopping Gladstone Drive at Maynard Street;
Christopher and Warren Drives, stopping Christopher Drive approaching Warren Drive, the stem of this T-intersection;
Bryant and Ritch Streets, stopping Ritch Street at Bryant Street, the stem of this T-intersection;
Bryant and Zoe Streets, stopping Zoe Street at Bryant Street, the stem of this T-intersection;
16th Avenue at Moraga Streets, stopping southbound 16th Avenue at Moraga Street, making this T-intersection an All-Way STOP;
San Aleso Avenue at Darien Way, making this 2-Way STOP-controlled intersection an All-Way STOP;
San Aleso Avenue at Upland Drive, stopping the southbound direction of San Aleso Avenue; and,
Manor Drive at Upland Drive, stopping Manor Drive at Upland Drive, making this uncontrolled intersection a 2-Way STOP. (Parking and Traffic Department)

(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

6/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Supervisor Elsbernd requested to be added as a co-sponsor. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

051057 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Bayshore Boulevard, southbound, between Industrial Street and Silver Avenue.

BICYCLE LANES - ESTABLISH
John Muir Drive, both sides, between Lake Merced Boulevard and the east property line of the Lakewood Apartments.

NO LEFT TURN ON RED, 6 AM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Fremont Street, northbound, at Howard Street

ONE-WAY (NORTHBOUND) TRAFFIC DESIGNATION - RESCIND
Arago Street, between Havelock and Paulding Streets

NO LEFT TURN - ESTABLISH
Westbound Paulding Street to southbound Arago Street (makes existing regulations permanent)

NO RIGHT TURN - ESTABLISH
Eastbound Paulding Street to southbound Arago Street (makes existing

regulations permanent)

RIGHT LANE MUST TURN RIGHT EXCEPT BUSES - ESTABLISH
Geary Boulevard, westbound, at Presidio Park Boulevard (Parking and Traffic Department)

(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

6/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

051058 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Rhode Island Street, east side, from 17th Street to 190 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Bayshore Boulevard, west side, from Industrial Street to Silver Avenue (to allow installation of bicycle lanes).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
49-51 and 55 Norfolk Street, between the driveways of 49-51 and 55 Norfolk Street (12-foot space accommodating 2 motorcycle spaces).

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
2700 and 2730 Mission Street, between 23rd and 24th Streets (adds specific addresses only, no signs will be posted on this block).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Moraga Street, both sides, between 12th Avenue and Funston Street (600 Block).

2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
Kansas Street, east side, between 16th and 17th Streets (300 Block). (Parking and Traffic Department)

(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

6/6/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Planning Department

To: Director, Department of Public Health

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting that the Planning Department, in consultation with the Department of Public Health and the Municipal Transportation Agency determine the full social, operational, and environmental costs of curb cuts for auto access/egress on city streets designated as transit preferential streets, and to recommend a fee structure that offsets these public costs.

In Memoriams

Theresa Gleeson - Supervisor Sean Elsbernd

Brian Jennings - Supervisor Bevan Dufty

Tasnika Cato - Supervisor Bevan Dufty

George Norian, Jr. - Supervisor Gerardo Sandoval

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:38 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 12, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second

public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAŸOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to

the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

SF
590
#72

DOCUMENTS DEPT.
JUL 26 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, June 21, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona*

Ma, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *Sophie Maxwell.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll Supervisor Maxwell was noted absent.

Supervisor Maxwell was previously excused from attending today's meeting. (See Infra)

Quorum present.

Supervisor Maxwell Excused from Attendance

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Maxwell excused from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

APPROVAL OF MEETING MINUTES

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved to approve the May 24, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

CONSENT AGENDA

Recommendations of the City Operations and Neighborhood Services Committee

050696 **[STOP Intersections]** **Supervisor Dufty**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Arlington Street at Fairmount Street, making this intersection an All-Way

STOP.

(Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 470-05
ADOPTED

050709 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
4th Avenue and Clement Street, stopping Clement Street at 4th Avenue, making intersection an All-Way STOP

Enacted Number: 471-05
ADOPTED

050785 [STOP Intersections - Octavia Frontage Road] Supervisor Mirkarimi

Resolution designating certain intersections as "STOP" intersections.

STOP signs - ESTABLISH
Octavia Frontage Road and Haight Street, stopping Octavia Frontage Road, at Haight Street
Octavia Frontage Road and Page Street, stopping Octavia Frontage Road, at Page Street
Octavia Frontage Road and Oak Street, stopping Octavia Frontage Road, at Oak Street
Octavia Frontage Road and Fell Street, stopping Octavia Frontage Road, at Fell Street

(5/2/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

Enacted Number: 472-05
ADOPTED

050858 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Shotwell Street, west side, between the driveways of 908 and 910 Shotwell

Street (a 13-foot zone accommodating 2 motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Hillpoint Street, both sides, north of Parnassus Avenue.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Paulding Street, north side, from Arago Street to 115 feet westerly.

2-HOUR PARKING, 9 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
Bayshore Boulevard, west side, from 130 feet to 333 feet north of Costa Street (in front of addresses 220 - 232 Bayshore Boulevard).

1-HOUR PARKING, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
5th Street, west side, between Brannan and Bryant Streets.

NO PARKING ANYTIME - ESTABLISH
Vidal Street, both sides, between the north and south intersections with Higuera Avenue.

TOW-AWAY, NO STOPPING, 4 PM TO 6 PM, MONDAY THROUGH FRIDAY - RESCIND
Valencia Street, west side, between 26th Street and Cesar Chavez Street.

1-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
Capitol Avenue, both sides, from Ocean Avenue to DeMontefort Avenue.

2-HOUR PARKING, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
Capitol Avenue, east side, from Ocean Avenue to DeMontefort Avenue.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
PARKING METER AREA NO. 1 - ESTABLISH
Mission Street, south side, between Beale Street and Main Street.

ANGLE PARKING (45 DEGREES) - RESCIND
ANGLE PARKING (60 DEGREES) - ESTABLISH
Ulloa Street, south side, from 33rd Avenue to 110 feet westerly (converts angle parking from 45 degrees to 60 degrees, gaining three parking spaces).

RESIDENTIAL PERMIT PARKING AREA "W" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
25th Street at Kansas Street, along the western terminus. (Parking and Traffic Department)

(5/10/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2999.)

Enacted Number: 474-05
ADOPTED

050859 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Front and Vallejo Streets, stopping Front Street at Vallejo Street, making this intersection an All-Way STOP;
Alabama and Mariposa Streets, stopping Mariposa at Alabama Street, making intersection an All-Way STOP;
Manchester and Stoneman, stopping Manchester at Stoneman, establishing two-way STOP control;
Quintara and 15th Avenue, stopping eastbound Quintara at 15th Avenue and Fanning Way, making this intersection an All-Way STOP; and,
24th and York Streets, stopping 24th Street at York Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(5/10/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2999.)

Enacted Number: 475-05

ADOPTED

050891 [Temporary "Street Closure to Vehicular Traffic" on O'Farrell Street between Steiner and Fillmore] **Supervisor Mirkarimi**

Resolution enacting temporary "Street Closure to Vehicular Traffic" regulation on O'Farrell Street between Steiner Street and Fillmore Street from 7:00 A.M. to 2 P.M. on every Saturday between July 9, 2005 and November 19, 2005.

Enacted Number: 478-05

ADOPTED

050937 [Accept-Expend Grant from Transportation Development Act (TDA) for Various Pedestrian and Bicycle Projects] **Supervisors McGoldrick, Dufty**

Resolution authorizing the Director of Transportation of the Municipal Transportation Agency (or his designee) and the Director of the Department of Public Works to accept and expend state Transportation Development Act (TDA) Article 3 funds totaling $900,000 for FY 2005-06 for various pedestrian and bicycle projects in the City and County of San Francisco.

Enacted Number: 480-05

ADOPTED

Recommendations of the Rules Committee

050975 [Settlement of claim filed by PG&E before the Federal Energy Regulatory Commission]

Ordinance authorizing settlement of the Scheduling Coordinator Services Tariff case filed by Pacific Gas & Electric Company before the Federal Energy Regulatory Commission in Docket Nos. ER00-565-000 et al., ER04-1233-000 et al., and ER05-480-000. (City Attorney)

Enacted Number: 123-05

FINALLY PASSED

050860 [Settlement of Claim - John Yee]

Resolution approving the settlement of the unlitigated Claim No. 05-00923 filed by John Yee on September 15, 2004, against the City and County of San Francisco for $46,500.00. (City Attorney)

Enacted Number: 476-05

ADOPTED

050902 [Settlement of Lawsuit - Torey Dylan Lovett]

Ordinance authorizing the settlement of a lawsuit filed by Torey Dylan Lovett against the City and County of San Francisco and Sheriff's Department for $1,215,837.42; the lawsuit was filed on October 12, 2000, in San Francisco Superior Court, Case No. 315861, entitled Torey Dylan Lovett v. City and County of San Francisco, et al. This case was tried to a San Francisco jury and culminated in a judgment in favor of Lovett. The City appealed and the District Court of Appeals affirmed the judgment. (City Attorney)

PASSED, ON FIRST READING

050903 [Settlement of Claim - Food Service & Management LP]

Resolution approving the settlement of the unlitigated Claim No. 05-02866 filed by Food Service & Management LP on March 8, 2005, against the City and County of San Francisco for $25,038.57. (City Attorney)

Enacted Number: 479-05

ADOPTED

050951 [Settlement of Lawsuit - Anita Bohbot]

Ordinance authorizing settlement of the lawsuit filed by Anita Bohbot

against the City and County of San Francisco for $35,000; the lawsuit was filed on June 12, 2004 in the San Francisco Superior Court, Case No. 432-409; entitled Anita Bohbot v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Severed From the Consent Agenda

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

Supervisor Sandoval Excused From Voting

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor Sandoval at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Maxwell, Sandoval

Recommendation of the Budget and Finance Subcommittee

050617 **[Airport Concession Lease]**
Resolution approving the Boarding Areas "B" and "C" Books and News Stores Lease between DeLaVe, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Fiscal impact.)

Enacted Number: 469-05
ADOPTED by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin
Excused: 2 - Maxwell, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use Committee

050181 **[General Plan amendments in connection with the Transbay Redevelopment Plan]** Mayor, Supervisor Daly

Ordinance amending the San Francisco General Plan in connection with the Transbay Redevelopment Plan and adopting environmental findings and findings that the amendments are consistent with the General Plan and eight priority policies of Planning Code Section 101.1.

(Companion measure to Files 050181, 050182, 050183, and 050184.)

Enacted Number: 125-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Recommendation of the Budget and Finance Subcommittee

050915 **[Appropriate funding from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05]** Supervisor Daly

Ordinance appropriating $51,000 from the General Fund Reserve to fund Homeless Drop-In Services for the Department of Human Services for fiscal year 2004-05.

Enacted Number: 126-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

From the Budget and Finance Committee Without Recommendation

051071 **[Annual Appropriation Ordinance for Municipal Transportation Agency, as of May 1, 2005, Fiscal** Mayor

Year 2005-2006]

Ordinance appropriating all estimated receipts and all estimated expenditures for the Municipal Transportation Agency of the City and County of San Francisco as of May 1, 2005 for the fiscal year ending June 30, 2006.

(Fiscal impact) (Supervisors Daly, Ma dissenting in Committee.)

Enacted Number: 127-05

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi
Excused: 1 - Maxwell

051072 **[Annual Salary Ordinance for the Municipal Transportation Agency, as of May 1, 2005, Fiscal Year 2005-2006]** **Mayor**

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Municipal Transportation Agency of the City and County of San Francisco as of May 1, 2005, for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact) (Supervisors Daly, Ma dissenting in Committee.)

Enacted Number: 128-05

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi
Excused: 1 - Maxwell

Recommendation of the Rules Committee

050356 **[Charter Amendment - Moving the Election Date of the Public Defender and Assessor/Recorder]** **Supervisors Mirkarimi, Alioto-Pier**

Charter amendment (First Draft) to amend Section 13.101 to move the election date of the Public Defender and Assessor-Recorder from the Statewide Primary Election in June to the following General Municipal Election in November.

ORDERED SUBMITTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

NEW BUSINESS

Recommendations of the Budget and Finance Committee

050996 **[Redevelopment Agency Budget]** Mayor

Resolution approving an Interim Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2005-2006.

(Fiscal impact.)

Enacted Number: 481-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

050998 **[Interim Treasure Island Development Authority Budget]** Mayor

Resolution approving the Interim Budget of the Treasure Island Development Authority for fiscal year 2005-2006.

(Fiscal impact.)

Enacted Number: 482-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

Recommendations of the Budget and Finance Subcommittee

050868 **[To appropriate funding for San Francisco General and Laguna Honda Hospital operations]** Mayor

Ordinance appropriating $16,363,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and capital projects at San Francisco General Hospital and $1,110,000 in surplus revenues for salaries and materials and supplies for Laguna Honda Hospital for a total of $17,473,000 for the Public Health Department for fiscal year 2004-05.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick,

Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

050969 **[Appropriate funding from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for the S.F. Superior Court of California, for** — **Supervisor Daly**

Ordinance appropriating $260,000 from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for Superior Court of California, San Francisco for fiscal year 2004-05. (Superior Courts)

(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

Supervisor Daly requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

050970 **[Appropriate funding from the General Fund Reserve to fund over expenditures in salaries in the Office of the Public Defender for FY 2004-05]** — **Supervisors Sandoval, Daly**

Ordinance appropriating $270,000 from the General Fund Reserve to fund over expenditures in salaries caused by the inability to meet attrition targets in the Office of the Public Defender for fiscal year 2004-05. (Public Defender)

(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

Supervisors Sandoval and Daly requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 1 - Maxwell

Recommendation of the City Operations and Neighborhood Services Committee

050578 **[Passenger-Carrying Commercial Motor Vehicle Restrictions]**

Ordinance repealing San Francisco Police Code section 1183.2 to delete restrictions on the operation of passenger-carrying commercial motor vehicles on certain streets.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Maxwell

Recommendations of the Government Audit and Oversight Committee

051007 [MOU - Automotive Machinists, Local 1414] Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists, Local 1414, to be effective July 1, 2005 through June 30, 2006.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051008 [MOU - Deputy Probation Officers' Association] Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Probation Officers' Association, to be effective July 1, 2005 through June 30, 2006.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051009 [MOU - Institutional Police Officers' Association] Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Institutional Police Officers' Association, to be effective July 1, 2005 through June 30, 2006.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051012 [MOU - Committee of Interns and Residents/SEIU] Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents/SEIU, to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick,

Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051013 **[MOU - Staff and Per Diem Nurses, SEIU Local 790]** Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Staff and Per Diem Nurses, SEIU Local 790, to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051014 **[MOU - Teamsters, Local 856 (Supervising Nurses)]** Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Supervising Nurses), to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051015 **[Unrepresented Employees]** Mayor

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051017 **[MOU - Municipal Executives' Association (Fire)]** Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Fire) by implementing physical examination/drug and alcohol screening, and compensation provisions, to be effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051018 **[MOU - Municipal Executives' Association (Police)]** Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Police), by extending the term of Agreement to June 30, 2007.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051019 **[MOU - American Physicians and Dentists (Unit 8-CC)]** Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC), by implementing an increased Child Psychiatric premium, to be effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051020 **[MOU - Union of American Physicians and Dentists (Unit 11-AA)]** Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA), by implementing increased Psychiatric and Child Pyschiatric premiums, to be effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051021 **[MOU - Service Employees International Union, Locals 250, 535 and 790]** Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790, by implementing additional compensation and premium pay, to be effective July 1, 2005.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051022 **[MOU - International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO]** Mayor

Ordinance adopting and implementing Amendment No. 4 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO, by implementing additional compensation and amending premium pay language, to be effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051023 **[MOU - Transport Workers Union, Local 200 (SEAM)]** Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2005 through June 30, 2006.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

051024 **[MOU - Laborers International Union, Local 261]** Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, by implementing provisions related to the Department of Public Works - Laborers Apprenticeship Project, to be effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

050838 **[Alternative Fuel Vehicle Feasibility Study]** Supervisors Ma, Daly

Resolution urging the Department of Administrative Services to conduct a feasibility study on the use of alternative fuel vehicles in the City vehicle fleet.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 473-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

050881 [Exploratorium Lease Agreement Exemption] **Supervisors Peskin, Elsbernd**

Resolution exempting the potential lease of portions of the Piers 15 and 17 properties to the Exploratorium from the competitive bidding policy set forth in Administrative Code Section 2.6-1.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 477-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

From the Government Audit and Oversight Committee With Recommendation "Do Not Pass"

051016 [MOU - Municipal Attorneys' Association] **Mayor**

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Sandoval
Noes: 3 - Alioto-Pier, Daly, Peskin
Excused: 1 - Maxwell

Recommendations of the Land Use Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Sandoval assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

041154 [Zoning Map Amendments] **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 2, to change the use district designation of Assessor's Block 0185, Lots 5, 29, 30, 31, 38, 39, 40, and 41 from NC-2 (Small-Scale Neighborhood Commercial District) to RM-1 (Residential, Mixed: Low Density); adopting findings pursuant to Planning Code Sections 302 and 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Ma
Excused: 1 - Maxwell

050297 [Zoning Map Amendment and Repeal of Planning Code Section 263.1] **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by repealing Section 263.1, which allows the Planning Commission to approve height up to 200 feet in the 65D-2 Height and Bulk District, and by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0195, Lots 4, 5, 12, 14, 15 and 16 from 65D-2 to 40-X and to change the height and bulk designation of the remaining assessor's blocks and lots within the 65D-2 Height and Bulk District from 65D-2 to 65-A; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma
Excused: 1 - Maxwell

050299 [Zoning Map Amendment] **Supervisor Peskin**

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0139 from 84-E to 40-X and to change the height and bulk designation of Assessor's Blocks 0140 and 0141 from 84-E to 65-X; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 6 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma
Excused: 1 - Maxwell

050727 [Amending the Building Code Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3.] **Supervisor Mirkarimi**

Ordinance amending Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3 of the Building Code to allow land surveyors to prepare submittal documents; to prohibit use or occupancy of structures until a certificate of final completion and occupancy or other approval by the Department of Building Inspection has been issued; to remove the definition of building height; to regulate the depth of structural projections; to delete requirements for exterior backings constructed of solid wood and plywood; to allow for approved alternate locations for storm or casual water drains; to remove requirement that solid wood or plywood wall sheathing used as backing for plaster be pressure-treated, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

Supervisor Mirkarimi requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

050728 [Amending the Housing Code regarding mechanical ventilation of bathrooms]

Ordinance amending Section 504 of the Housing Code to modify requirements for mechanical ventilation of bathrooms and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

050729 [Amending the Plumbing Code regarding storm water drain locations and grease traps]

Ordinance amending Section 306.2 and Section 1014.1 of the Plumbing Code to allow for alternate locations for rain water drains; to modify the requirements for grease traps; and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

050084 [Vacation of 22nd Street between Arkansas and Connecticut Streets]

Resolution declaring the intention of the Board of Supervisors to vacate the 22nd Street right-of-way between Arkansas and Connecticut Streets; setting the hearing date for July 19, 2005 at 4:00 p.m. for all persons interested in the proposed vacation of the street area; and adopting environmental

findings and findings that the vacation is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Real Estate Department)

Enacted Number: 440-05

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick
Excused: 1 - Maxwell

Recommendations of the Rules Committee

Supervisor McGoldrick was noted absent at 3:31 p.m.

Supervisor McGoldrick was noted present at 6:28 p.m.

Supervisor McGoldrick was noted absent at 6:33 p.m.

Supervisor Daly was noted absent at 5:04 p.m.

Supervisor Ma was noted absent at 6:45 p.m.

050497 **[Renaming the Department of the Medical Examiner as the "Office of the Chief Medical Examiner."]** **Mayor**

Ordinance amending the San Francisco Administrative Code by amending Section 2A.250 to change the name of the Department of the Medical Examiner to "Office of the Chief Medical Examiner."

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

050697 **[Requiring the Disaster Council to meet on a Quarterly Basis]** **Mayor**

Ordinance amending the San Francisco Administrative Code by amending Section 7.4, to require the Disaster Council to meet on a quarterly basis.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

050698 **[Requiring the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.]** **Mayor**

Ordinance amending the San Francisco Administrative Code by adding Section 7.19, to require the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

050817 **[Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance.]** **Supervisors Peskin, Maxwell, Alioto-Pier, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, 29.4, and 29.7, to: exempt voter-approved projects from the Fiscal Feasibility Ordinance; include rent credits and City-granted Mills Act tax credits as "public monies" for purposes of the Ordinance; require additional information from applicants for environmental review; set a deadline for Board action; and, suspend application to certain projects undergoing environmental review.

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

050828 **[Certain Commission candidates must file Statements of Economic Interests prior to Board consideration]** **Supervisors Peskin, Ammiano, Elsbernd, Alioto-Pier, Mirkarimi**

Motion amending the Board's Rules of Order to add Rule 2.32, requiring each candidate for a Board, Commission or advisory body appointment or confirmation who would be required to file a Form 700 (Statement of Economic Interests) to submit such a Statement to the Clerk of the Board of Supervisors prior to Board Consideration of the appointment or confirmation, and allowing the Board to consider appointments or confirmations, despite the failure of an applicant to file a completed Form 700, if the time for Board consideration is about to expire.

Enacted Number: M05-92

APPROVED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 2 - Daly, Ma
Excused: 1 - Maxwell

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

050977 [Committee of the Whole - Bielenson Hearing]

Hearing to consider the Department of Public Health's budget eliminating or reducing medical services. (Bielenson Hearing) (See Public Notice posted outside the Clerk of the Board's Office, Room 244, City Hall)

Abe Kebede; showed concern over funding for Baker Places

Orlando; showed concern over funding for Baker Places

John Napier; showed concern over funding for Walden Housing

Norma Weissman; showed concern over funding for Walden Housing

Bruce Sterling; showed concern over funding for Walden Housing

Jason Berry; showed concern over funding for Walden Housing

Jonathan Vernick, Executive Director of Baker Places; showed concern over funding for Baker Places

Norma Hotaling, Executive Director of Sage project; showed concern over funding for Sage Project

Francine Brae; showed concern over funding for Sage Project

Lana Pivichik; showed concern over funding for Sage Project

Consuelo Bradford; showed concern over funding for Sage Project

Antonella Soldaaini; showed concern over funding for Sage Project

James Keys; showed concern over funding for HIV/AIDS

Denise; showed concern over funding for Positive Directions

Clarice Powell; showed concern over funding for Positive Directions

Annette Jagers; showed concern over funding for DPH Worker's Comp Clinic

Rhody Mcloy; showed concern over funding for Positive Directions

Natica; showed concern over funding for Positive Directions

Dale; showed concern over funding for Positive Directions

Joaqin; showed concern over funding for Positive Directions

Cedric; showed concern over funding for Positive Directions

Ms. Green; showed concern over funding for Bayview Community

Kenneth DeLa Cruz; showed concern over funding for Sage Project

Anisha; showed concern over funding for Positive Directions

Donald Peoples; showed concern over funding for Positive Directions

Gary Bozman; showed concern over funding for Positive Directions

John; showed concern over funding for Haight Ashbury Clinics

Kimberly Clark; showed concern over funding for Walden
HEARD AT PUBLIC HEARING.

The Board recessed at the hour of 3:26 p.m.

Reconvening of the Board

The Board at the hour of 3:31p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

Maxwell, Mirkarimi, Peskin, Sandoval - 9

Supervisor McGoldrick was noted absent at 3:31 p.m.

Supervisor Maxwell was previously excused from attending today's

meeting.

Quorum present.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Ammiano, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Mirkarimi,

Peskin, Sandoval
Absent: 1 - McGoldrick
Excused: 1 - Maxwell

Supervisor Sandoval introduced, welcomed and presented a Certificate of Honor to Helen Birch, OMI Family Resource Center.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

051158 **[Hearing - Redevelopment Plan for the Transbay Redevelopment Project]**

Hearing to allow public comment regarding amendments made on June 14 to File No. 050184, an ordinance adopting the Transbay Redevelopment Plan. (Clerk of the Board)

The President inquired as to whether or not any members of the public wished to address the Board.

Male speaker; expressed concern over the Transbay Redevelopment Plan amendment

Jakkee Bryson; expressed gratitude that this matter was finally passed

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

050184 **[Adopting the Redevelopment Plan for the Transbay Redevelopment Project]** **Mayor, Supervisor Daly**

Ordinance approving and adopting the Redevelopment Plan for the Transbay Redevelopment Project area; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to the California Community Redevelopment Law; authorizing official acts in furtherance of this ordinance.

(Fiscal impact.)

Enacted Number: 124-05

FINALLY PASSED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

COMMITTEE REPORTS

050980 **[Interim Government Funding, Fiscal Year 2005-2006 (Excluding Municipal Transportation Agency)]** Mayor

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

050982 **[Public Employment, Fiscal Year 2005-2006]** Mayor

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Jakkee Bryson; expressed concern regarding the death of a homeless person and disabled and senior issues.

Larry Edmond; expressed concern regarding medical marijuana issues

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

051157 **[Legislative Analyst Request - Dislocated Workers]** **Supervisor Maxwell**

Motion requesting the Legislative Analyst to research and report on the types/models adopted by cities across the country to address the transition of dislocated workers of manufacturing industries such as garment, electronics, and food into new careers.

APPROVED by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051160 **[Accept-Expend State Grant - Recreation and Park Department]** **Supervisor Alioto-Pier**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend local assistance funds in the amount of $25,000 available under the Waste Tire Playground Cover Grant Program FY 2004-2005, through the California Integrated Waste Management Board, for Alta Plaza Park.

Enacted Number: 483-05

ADOPTED

051161 **[Supporting the right of women to breastfeed in public]** **Supervisors Alioto-Pier, Dufty, Elsbernd, Maxwell, Daly, Ma, Mirkarimi**

Resolution supporting the right of women to breastfeed in public.

Supervisors Daly, Ma and Mirkarimi requested to be added as co-sponsors.

Enacted Number: 484-05

ADOPTED

051162 **[Trinity Plaza Development Agreement]** **Supervisor Daly**

Resolution stating as a matter of policy of the Board of Supervisors that any Development Agreement presented to the Board for approval concerning the proposed Trinity Plaza development project at 1177 Market Street should contain specified unit affordability, tenant protection provisions, and required project amenities comparable to those currently enjoyed at 1169 Market Street.

Enacted Number: 485-05

ADOPTED

051165 **[Commending Yvette Stuart]** **Supervisor Dufty**

Resolution commending Yvette Stuart on the occasion of her retirement.

Enacted Number: 486-05

ADOPTED

051166 **[Commending Dennis Smith]** **Supervisors Dufty, Maxwell, Alioto-Pier**

Resolution commending Dennis Smith upon his graduation from Mission High School and recognizing his many outstanding accomplishments, and wishing him well in his recovery.

Enacted Number: 487-05

ADOPTED

051167 **[Commending Natalie Berg]** **Supervisors Dufty, Peskin, Elsbernd, Ma**

Resolution commending Natalie Berg on her outstanding community leadership and the successful completion of her two-year term as President of the Jewish Community Relations Council.

Supervisors Elsbernd and Ma requested to be added as co-sponsors.

Enacted Number: 488-05
ADOPTED

051168 [Commending the students involved in the COLAGE Youth Leadership and Action Program] Supervisors Dufty, Ammiano, Ma

Resolution commending the students involved in the COLAGE Youth Leadership and Action Program for their efforts to promote awareness and acceptance about issues related to youth with LGBT parents.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 489-05
ADOPTED

051169 [Recognizing June 2005 as "National Safety Month" in San Francisco] Supervisor Ma

Resolution recognizing June 2005 as "National Safety Month" in San Francisco.

Enacted Number: 490-05
ADOPTED

051170 [Commending the Stern Grove Festival Association] Supervisors Ma, Elsbernd

Resolution commending the Stern Grove Festival Association for its work planning and organizing the 68th Annual Stern Grove Festival in San Francisco and congratulating the Association on the rededication of new facilities at Sigmund Stern Grove and the Rhoda Goldman Concert Meadow.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 491-05
ADOPTED

051171 [Commending Mati Bates] Supervisors Maxwell, Dufty

Resolution commending Mati Bates for a successful career with the City and county of San Francisco, and wishing her a happy retirement.

Enacted Number: 492-05
ADOPTED

051172 [Accept-Expend State Grant - Mayor's Office of Supervisors Maxwell,

Criminal Justice] **Dufty**

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of $116,941 from the State Board of Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant (JABG).

Enacted Number: 441-05

ADOPTED

051173 [Accept-Expend State Grant - Mayor's Office of Criminal Justice] **Supervisor Maxwell**

Resolution authorizing the Mayor's Office of Criminal Justice to retroactively accept and expend a grant in the amount of $200,000 from the State Board of Corrections for the purpose of implementing the Read Into Your Future Project through the Title II Formula Grant Program.

Enacted Number: 442-05

ADOPTED

051174 [Accept-Expend State Grant - Mayor's Office of Criminal Justice] **Supervisors Maxwell, Dufty**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of $2,187,092 from the State Board of Corrections (BOC), from funds made available under Senate Bill 736 - known as the Juvenile Justice Crime Prevention Act (JJCPA) - for programs and approaches that have been demonstrated to be effective in reducing delinquency.

Enacted Number: 443-05

ADOPTED

051175 [Commending Intersection for the Arts 40th Anniversary] **Supervisors Mirkarimi, Daly**

Resolution commending the Intersection for the Arts on the occasion of their 40th anniversary of providing an alternative, independent art space and eclectic, diverse arts programming to San Francisco's communities.

Supervisor Daly requested to be added as a co-sponsor.

Enacted Number: 493-05

ADOPTED

051176 [Urging California Legislature to draft and pass a bill concerning exposure to depleted uranium by **Supervisor Mirkarimi**

members of the armed forces]

Resolution urging California Legislature to draft and pass a bill concerning exposure to depleted uranium by members of the armed forces who return to California after service in the military.

Enacted Number: 494-05

ADOPTED

051177 **[Declaring June 20, 2005 Judy Finelli Day in San Francisco]** **Supervisor Peskin**

Resolution declaring June 20, 2005 Judy Finelli Day in San Francisco.

Enacted Number: 495-05

ADOPTED

051178 **[Accept-Expend State Grant - Recreation and Park Department]** **Supervisors Sandoval, Ma**

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend local assistance funds in the amount of $2,314,500 available under the Murray-Hayden Grant Program in the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 for the Minnie and Lovie Ward Recreation Center Renovation Project.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 496-05

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

Severed From Without Reference to Committee Agenda

Supervisor Sandoval requested that this matter be severed so that it might be considered separately.

051159 **[Accept and Expend Gift - Robin and Marsha Williams]** **Supervisor Alioto-Pier**

Resolution accepting a gift in the amount of $80,000 from Robin and Marsha Williams and authorizing its expenditure to repair and improve a retaining wall and median strip on Seacliff Avenue.

Supervisor Sandoval requested that this matter be referred to Committee.

REFERRED to the Rules Committee.

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

051163 **[Urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, to call on the President to withdraw U.S. troops from Iraq]** — **Supervisors Daly, Mirkarimi, Sandoval, Ammiano, Peskin, McGoldrick**

Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, introduced by Representative Lynn Woolsey.

Supervisors Mirkarimi and Sandoval requested to be added as co-sponsors.

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Mirkarimi, Peskin, Sandoval
Absent: 3 - Daly, Ma, McGoldrick
Excused: 1 - Maxwell

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

051164 **[Ground Lease of Redevelopment Agency Land for Parkview Terraces Senior Housing (871-881 Turk Street)]** — **Supervisors Daly, Mirkarimi**

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 761, Lot 29, commonly known as 871-881 Turk Street, southeast corner of Turk and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to PARKVIEW TERRACE PARTNERS, L.P., a California limited partnership, for 60 years for the purpose of developing housing for very low-income senior households.

Continued to July 12, 2005 with the Board Sitting as a Committee of the Whole.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Maxwell

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Resolutions

051183 [Commending California Trout and Pacific Gas and Electric on the Success of "Trout Day 2005"] — Supervisors Elsbernd, Maxwell, Ma

Resolution commending California Trout and Pacific Gas and Electric on the success of "Trout Day 2005".

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051184 [Resolution to establish the Fisherman's Wharf Community Benefit District] — Supervisor Peskin

Resolution establishing a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, subject to conditions as specified, and making environmental findings.

6/21/05, ASSIGNED to Board of Supervisors. To Board as a Special Order on July 26, 2005, at 3:00 p.m.

051185 [Resolution to establish the Noe Valley Community Benefit District] — Supervisor Dufty

Resolution establishing a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

6/21/05, ASSIGNED to Board of Supervisors. To Board as a Special Order on August 2, 2005, at 3:00 p.m.

051187 [Resolution to establish the Castro/Upper Market Community Benefit District] — Supervisor Dufty

Resolution establishing a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

6/21/05, ASSIGNED to Board of Supervisors. To Board as a Special Order on August 2, 2005, at 3:00 p.m.

051189 [Resolution to establish the 2500 Block of Mission Street Business Improvement District] — Supervisor Ammiano

Resolution establishing a property-based business improvement district to be known as the "2500 Block of Mission Street Business Improvement District (BID)," ordering the levy and collection of assessments against property

located in that district for five years, commencing with fiscal year 2005-2006, and making environmental findings.

6/21/05, ASSIGNED to Board of Supervisors. To Board as a Special Order July 26, 2005, at 3:00 p.m.

051192 **[Resolution to establish the North of Market/Tenderloin Community Benefit District]** **Supervisor Daly**

Resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

6/21/05, ASSIGNED to Board of Supervisors. To Board as a Special Order on August 2, 2005, at 3:00 p.m.

051193 **[Issuance and Sale of Revenue Bonds - San Francisco University High School]** **Supervisor Alioto-Pier**

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $20,000,000 for San Francisco University High School.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051196 **[Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles]** **Supervisors Peskin, Elsbernd**

Resolution approving the service agreement and property use license for towing, storage, and disposal of abandoned and illegally parked vehicles by and between the City and County of San Francisco and TEGSCO, LLC, d.b.a. San Francisco AutoReturn.

6/21/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051197 **[New Gas Tax Revenue]** **Supervisors Ammiano, Dufty, Sandoval, Mirkarimi**

Resolution urging the Governor of California, the California Senate and Assembly to retain transit "spillover" funds for public transportation purposes as prescribed in current law and which would provide San Francisco MUNI with an additional $17.7 million in funds that could be used for transit operations and capital needs.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051198 **[Muni Standard Hybrid-Electric Bus Procurement]** **Supervisors Ammiano, Alioto-Pier, Mirkarimi**

Resolution approving the award of Contract Proposal No. 350 (Procurement of Standard Low Floor Hybrid-Electric Diesel Coaches) between the City and County of San Francisco and Orion Bus Industries, in an amount not to exceed $29,398,629.

6/21/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051205 [Supporting Federal Legislation regarding Endangered Species Act] — Supervisors Peskin, Mirkarimi

Resolution affirming San Francisco's support for upholding the Endangered Species Act so it may continue to protect our plants and animals and the special places they live, from the finality of extinction, and urging federal and state elected representatives to do the same.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051206 [Trinity Plaza Development Agreement] — Supervisor Daly

Resolution of the Board of Supervisors declaring its intent to enter into a binding Development Agreement concerning the proposed Trinity Plaza development project at 1177 Market Street.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051207 [Commending Derrick Lam] — Supervisors Sandoval, Ma

Resolution commending Derrick Lam on the occasion of his retirement from the City and County of San Francisco.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051208 [Contract Approval - Department of the Environment] — Supervisor Mirkarimi

Resolution pursuant to Charter section 9.118(a) authorizing the Department of the Environment to amend a contract with Pacific, Gas and Electric to add $685,500 to the contract amount and to extend the contract period for an additional year until June 30, 2006 in order to continue implementation of the Demand Reduction Through Energy Efficiency Pilot Program.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051209 [Resolution commending Charles Camilleri] — Supervisor Dufty

Resolution commending Charles Camilleri on the occasion of his retirement

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051210 [Exclusive Negotiating Agreement for Development of the Old Mint] — Supervisors Peskin, Mirkarimi

Resolution extending the expiration date of the Exclusive Negotiating Agreement between the City and the San Francisco Museum and Historical Society for the development of the Old Mint.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051211 [Old Mint; Transferable Development Rights] — Supervisors Peskin, Mirkarimi

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051212 **[Zoning - Extension of Planning Commission Review Period]** — Supervisor Peskin

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code with respect to controls in the North Beach Neighborhood Commercial District

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051213 **[Resolution urging Toyota Motor Corporation to stop destroying its zero-gasoline, zero-emission RAV4 EVs]** — Supervisors Daly, Mirkarimi

Resolution urging Toyota Motor Corporation to stop destroying its zero-gasoline, zero emission RAV4 EVs.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051214 **[Zoning - Extension of Planning Commission Review Period]** — Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051215 **[Urging State Legislators to Permit Person 16 Years of Age or Older to Vote in City or County Elections]** — Supervisors Mirkarimi, McGoldrick, Ammiano, Daly

Resolution urging the California Legislature to pass a bill that will allow local choice legislation, for which any city or county could permit persons 16 years or older to vote in city or county elections.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051216 **[Supporting ACA17, primary voting rights for seventeen year olds.]** — Supervisor Mirkarimi

Resolution supporting ACA 17 which would allow for seventeen year olds who would turn eighteen prior to a general election to vote in the primary election for that general election.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051194 **[Hearing on the General Fund Capital Projects]** Supervisor Daly

Hearing regarding relevance and feasibility of funding projects on the list of General Fund capital projects funded with revenue deemed by the Mayor's Office as "one-time" General Fund in nature, including Recreation and Park projects, Department of Works projects, efficiency grants, owning vs. leasing options for City offices, and the plans for the 311 project among other projects and programs.

6/21/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be scheduled for consideration at the June 27, 2005 meeting.

051199 **[Public's Input on the CCSF's Budget for FY 2005-2006.]** Supervisor Ammiano

Hearing to consider the public's input on the San Francisco City and County's budget for fiscal year 2005-2006.

6/21/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051200 **[Status of Small Business in San Francisco]** Supervisor Ma

Hearing to review and discuss the status of small businesses in San Francisco. The Small Business Commission is requested to report on their role in facilitating a business-friendly environment, including their accomplishment and policies. The report should include, but not limited to: (1) number of small businesses located in San Francisco during each of the last three years; (2) their analysis of why this number has increased or decreased, and what San Francisco has done as a result of such; and (3) what best practices other jurisdictions have done or are doing to attract small business.

6/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Referred to the Small Business Commission for review and comment.

051201 **[Status of the restaurant industry in San Francisco]** Supervisors Ma, Dufty

Hearing to review and discuss the status of the restaurant industry in San Francisco, including, but not limited to, a review of the 3rd Annual Economics of the San Francisco Restaurant Industry Study 2005 prepared by Kent Sim, PH.D.

6/21/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Referred to the Small Business Commission for review and comment.

051202 **[MOCD funds for Westbay Pilipino Multi-service]** Supervisor Daly

Hearing to consider release of MOCD funds for Westbay Pilipino Multi-services currently on reserve with the Budget and Finance Committee.

6/21/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Motions

051182 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

6/21/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051203 [Legislative Analyst Request - Housing Above Retail] Supervisor Dufty

Motion requesting the Legislative Analyst to research, analyze, and gather data on Housing above retail. (1) How have other municipalities dealt with this issue?; (2) Have other cities (Seattle, Portland) offered incentives to encourage housing above retail?; and (3) Have the incentives been successful?.

6/21/05, ASSIGNED to Board of Supervisors. Scheduled for Board consideration June 28, 2005.

PROPOSED ORDINANCES

051094 [Settlement of Lawsuit- Larry Saxxon]

Ordinance authorizing settlement of the lawsuit filed by Larry Saxxon against the City and County of San Francisco for $500,000.00; the lawsuit was filed on December 5, 2003 in the San Francisco Superior Court, Case No. 427029; entitled Larry Saxxon v. City and County of San Francisco, et al. (City Attorney)

6/9/05, RECEIVED AND ASSIGNED to Rules Committee.

051102 [Settlement of Lawsuit - Linda Alband]

Ordinance authorizing settlement of the lawsuit filed by Linda Alband against the City and County of San Francisco for $35,000; the lawsuit was filed on May 11, 2004 in San Francisco Superior, Case No. 431-258; entitled Linda Alband, et al., v. City and County of San Francisco, et al. (City Attorney)

6/9/05, RECEIVED AND ASSIGNED to Rules Committee.

051103 [Settlement of Lawsuit - Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc. for $121,957.36; the lawsuit was filed on March 11, 2005 in the Superior Court of the State of California, County of San Francisco, Case

No. 439452; entitled City and County of San Francisco, et al., v. Transamerica Life Insurance Company, et al. (City Attorney)

6/13/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

051095 [Settlement of Claim - Boston Properties]

Resolution approving the settlement of the unlitigated claim filed by Boston Properties Limited Partnership against the City and County of San Francisco for $211,097; claim was filed on June 2, 2004. (City Attorney)

6/9/05, RECEIVED AND ASSIGNED to Rules Committee.

051120 [Street Encroachment at 624 Laguna Street]

Resolution granting revocable permission to 624 Laguna LP, to occupy a portion of the public right-of-way for the installation and operation of a new sub-sidewalk elevator under the sidewalk fronting the subject property at 624 Laguna Street (Block 0807, Lot 012), conditioned upon the payment of an annual assessment fee of $1,000.00. (Public Works Department)

6/8/05, RECEIVED AND ASSIGNED to Land Use Committee.

051121 [Street Encroachment at 815 Francisco Street]

Resolution granting revocable permission to Launce E. Gamble, Trustees, to occupy a portion of the public right-of-way to construct and maintain a new two-car garage, to encroach approximately 28 feet into the unimproved public sidewalk right-of-way, as per existing neighborhood pattern, fronting 815 Francisco Street (Block 0048, Lot 019), conditioned upon the payment of an annual assessment fee of $4,800, and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

6/7/05, RECEIVED AND ASSIGNED to Land Use Committee.

051122 [IHSS Contract Modification Approval - San Francisco IHSS Public Authority]

Resolution approving the modification of the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority, which expires on June 30, 2006, for the provision of health and dental benefits to IHSS Independent Providers, in the amount of $11,872,058, for a total contract amount of $68,190,161. (Human Services Department)

(Fiscal impact.)

6/9/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051123 [IHSS Contract Approval - IHSS Consortium of San Francisco]

Resolution approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-

Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of $51,433,291. (Human Services Department)

(Fiscal impact.)
6/9/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051124 **[Lease of Real Property at 1440 Harrison Street]**
Resolution authorizing the renewal of a sublease of 52,200 sq. ft. of space at 1440 Harrison Street for the Department of Human Services. (Real Estate Department)
6/13/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mc Goldrick

To: City Attorney

Requesting/Inquiring: To prepare legislation that amends Planning Code Section 315 to expand the application of the Inclusionary Affordable Housing Program to buildings of five units and more.

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: To draft legislation that requires the Office of Emergency Services (OES) to establish a standard operating procedure in providing a written operations-performance report in the event of a disaster warning or incident for the Disaster Council and the Board of Supervisors; further requests the City Attorney to draft legislation that designates an alternate city for hosting emergency meetings in the event, such a meeting, cannot be conducted in the City and County of San Francisco.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: To provide a work list and time line needed to remove the fences at Hayes Green.

From: Supervisor Mirkarimi

To: Director, Recreation and Park

To: Director, San Francisco Housing Authority

To: Director, Redevelopment Agency

Requesting/Inquiring: To repair the light that is out in the Mini-Park near

1111 Buchanan, and to give a status report on the condition of all light fixtures in the park. Supervisor Mirkarimi also requests that the San Francisco Housing Authority and Redevelopment Agency aid in providing oversight in this repair.

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: To draft legislation to increase financial penalties for owners of dogs deemed vicious and dangerous who do not comply with muzzle, signage, and leash restrictions, and to create liability requirements for such owners.

From: Supervisor Dufty

To: City Attorney

Requesting/Inquiring: To draft legislation to ban backyard

Ron Sonenshine - Supervisor Dufty

Evelyn Squeri - Supervisor Dufty

Patrick Charles Robertson (The "Brown-Eyed" Alligator) - Supervisor Mirkarimi

John Monaghan - Supervisor Alioto-Pier

Eileen Rose Murphy - Supervisor Elsbernd

ADJOURNMENT

There being no further business the Board adjourned at the hour of 7:37 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 19, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAYOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are

reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
SEP - 2 2005
SAN FRANCISCO
PUBLIC LIBRARY

90
72
/28/05

MEETING MINUTES

Tuesday, June 28, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisor Sandoval was noted absent.

Supervisor Sandoval noted present at 2:06 p.m.

Quorum present.

Recessed Meeting July 1, 2005

The meeting was called to order at 9:18 a.m. On the call of the roll all Supervisor McGoldrick was noted absent.

Quorum present.

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance

Committee

050868 [To appropriate funding for San Francisco General and Laguna Honda Hospital operations] — Mayor

Ordinance appropriating $16,363,000 in surplus revenues for salaries, fringe benefits, contractual services, materials and supplies, and capital projects at San Francisco General Hospital and $1,110,000 in surplus revenues for salaries and materials and supplies for Laguna Honda Hospital for a total of $17,473,000 for the Public Health Department for fiscal year 2004-05.

(Fiscal impact.)

Enacted Number: 138-05

FINALLY PASSED

050969 [Appropriate funding from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for the S.F. Superior Court of California, for] — Supervisor Daly

Ordinance appropriating $260,000 from the General Fund Reserve to fund increased costs of indigent defense in adult criminal and juvenile delinquency cases for Superior Court of California, San Francisco for fiscal year 2004-05. (Superior Courts)

(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

Enacted Number: 141-05

FINALLY PASSED

050980 [Interim Government Funding, Fiscal Year 2005-2006 (Excluding Municipal Transportation Agency)] — Mayor

Interim Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

(Fiscal impact.)

Enacted Number: 129-05

FINALLY PASSED

050982 [Public Employment, Fiscal Year 2005-2006] Mayor

Interim Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

Enacted Number: 130-05

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

051007 [MOU - Automotive Machinists, Local 1414] Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists, Local 1414, to be effective July 1, 2005 through June 30, 2006.

Enacted Number: 142-05

FINALLY PASSED

051008 [MOU - Deputy Probation Officers' Association] Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Deputy Probation Officers' Association, to be effective July 1, 2005 through June 30, 2006.

Enacted Number: 143-05

FINALLY PASSED

051009 [MOU - Institutional Police Officers' Association] Mayor

Ordinance adopting and implementing the mediated agreement establishing

the Memorandum of Understanding between the City and County of San Francisco and the Institutional Police Officers' Association, to be effective July 1, 2005 through June 30, 2006.

Enacted Number: 144-05

FINALLY PASSED

051012 [MOU - Committee of Interns and Residents/SEIU] Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Committee of Interns and Residents/SEIU, to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

Enacted Number: 145-05

FINALLY PASSED

051013 [MOU - Staff and Per Diem Nurses, SEIU Local 790] Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Staff and Per Diem Nurses, SEIU Local 790, to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

Enacted Number: 146-05

FINALLY PASSED

051014 [MOU - Teamsters, Local 856 (Supervising Nurses)] Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Supervising Nurses), to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

Enacted Number: 147-05

FINALLY PASSED

051015 [Unrepresented Employees] Mayor

Ordinance Fixing Compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in jobcodes not represented by an employee organization, and establishing working schedules and conditions of employment and, methods of payment, effective July 1, 2005.

Enacted Number: 148-05

FINALLY PASSED

051017 [MOU - Municipal Executives' Association (Fire)] Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Fire) by implementing physical examination/drug and alcohol screening, and compensation provisions, to be effective July 1, 2005.

Enacted Number: 150-05

FINALLY PASSED

051018 [MOU - Municipal Executives' Association (Police)] Mayor

Ordinance adopting and implementing Amendment No. 1 to the Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association (Police), by extending the term of Agreement to June 30, 2007.

Enacted Number: 151-05

FINALLY PASSED

051019 [MOU - American Physicians and Dentists (Unit 8-CC)] Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC), by implementing an increased Child Psychiatric premium, to be effective July 1, 2005.

Enacted 152-05

Number:
FINALLY PASSED

051020 [MOU - Union of American Physicians and Dentists (Unit 11-AA)] Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA), by implementing increased Psychiatric and Child Pyschiatric premiums, to be effective July 1, 2005.

Enacted Number: 153-05
FINALLY PASSED

051021 [MOU - Service Employees International Union, Locals 250, 535 and 790] Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Locals 250, 535 and 790, by implementing additional compensation and premium pay, to be effective July 1, 2005.

(Fiscal impact.)

Enacted Number: 154-05
FINALLY PASSED

051022 [MOU - International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO] Mayor

Ordinance adopting and implementing Amendment No. 4 to the Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, IFPTE, AFL-CIO, by implementing additional compensation and amending premium pay language, to be effective July 1, 2005.

Enacted Number: 155-05
FINALLY PASSED

051023 [MOU - Transport Workers Union, Local 200 (SEAM)] Mayor

Ordinance adopting and implementing the mediated agreement establishing the Memorandum of Understanding between the City and County of San

Francisco and the Transport Workers Union, Local 200 (SEAM), to be effective July 1, 2005 through June 30, 2006.

Enacted Number: 156-05
FINALLY PASSED

051024 [MOU - Laborers International Union, Local 261] Mayor

Ordinance adopting and implementing Amendment No. 2 to the Memorandum of Understanding between the City and County of San Francisco and the Laborers International Union, Local 261, by implementing provisions related to the Department of Public Works - Laborers Apprenticeship Project, to be effective July 1, 2005.

Enacted Number: 157-05
FINALLY PASSED

Recommendations of the Land Use Committee

050727 [Amending the Building Code Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3.] Supervisor Mirkarimi

Ordinance amending Sections 106.3.2, 109, 209, 419, 1403, 1506, 2312.3 of the Building Code to allow land surveyors to prepare submittal documents; to prohibit use or occupancy of structures until a certificate of final completion and occupancy or other approval by the Department of Building Inspection has been issued; to remove the definition of building height; to regulate the depth of structural projections; to delete requirements for exterior backings constructed of solid wood and plywood; to allow for approved alternate locations for storm or casual water drains; to remove requirement that solid wood or plywood wall sheathing used as backing for plaster be pressure-treated, and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

Enacted Number: 135-05
FINALLY PASSED

050728 [Amending the Housing Code regarding mechanical ventilation of bathrooms]

Ordinance amending Section 504 of the Housing Code to modify

requirements for mechanical ventilation of bathrooms and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

Enacted Number: 136-05

FINALLY PASSED

050729 [Amending the Plumbing Code regarding storm water drain locations and grease traps]

Ordinance amending Section 306.2 and Section 1014.1 of the Plumbing Code to allow for alternate locations for rain water drains; to modify the requirements for grease traps; and to make findings in accordance with California Health and Safety Code Section 17958.5 as to the local climatic, topological and geological reasons for amending the State Building Code. (Building Inspection Department)

Enacted Number: 137-05

FINALLY PASSED

Recommendations of the Rules Committee

050497 [Renaming the Department of the Medical Examiner as the "Office of the Chief Medical Examiner."] Mayor

Ordinance amending the San Francisco Administrative Code by amending Section 2A.250 to change the name of the Department of the Medical Examiner to "Office of the Chief Medical Examiner."

Enacted Number: 131-05

FINALLY PASSED

050902 [Settlement of Lawsuit - Torey Dylan Lovett]

Ordinance authorizing the settlement of a lawsuit filed by Torey Dylan Lovett against the City and County of San Francisco and Sheriff's Department for $1,215,837.42; the lawsuit was filed on October 12, 2000, in San Francisco Superior Court, Case No. 315861, entitled Torey Dylan Lovett v. City and County of San Francisco, et al. This case was tried to a San Francisco jury and culminated in a judgment in favor of Lovett. The City appealed and the District Court of Appeals affirmed the judgment. (City Attorney)

Enacted Number: 139-05
FINALLY PASSED

050697 [Requiring the Disaster Council to meet on a Quarterly Basis] Mayor

Ordinance amending the San Francisco Administrative Code by amending Section 7.4, to require the Disaster Council to meet on a quarterly basis.

Enacted Number: 133-05
FINALLY PASSED

050951 [Settlement of Lawsuit - Anita Bohbot]

Ordinance authorizing settlement of the lawsuit filed by Anita Bohbot against the City and County of San Francisco for $35,000; the lawsuit was filed on June 12, 2004 in the San Francisco Superior Court, Case No. 432-409; entitled Anita Bohbot v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 140-05
FINALLY PASSED

050698 [Requiring the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.] Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 7.19, to require the Board of Supervisors to hold an annual hearing on the state of the City's disaster preparedness.

Enacted Number: 134-05
FINALLY PASSED

051099 [Authorizing Payment of Attorney's Fees and Costs After Appeal]

Ordinance authorizing the payment of $37,240.25 in attorney's fees and costs after the appeal in the lawsuit filed by John Baba, Philip Brady, Sergio Iantorno, John Zanghi, and Arnold W. Evje, II, against the Board of Supervisors of the City and County of San Francisco, the Residential Rent Stabilization and Arbitration Board of the City of the City and County of San

Francisco, and the City and County of San Francisco. The lawsuit was filed on August 30, 2002, and the motion for attorney's fees and costs on appeal was filed on May 9, 2005, in San Francisco Superior Court (Case No. CPF-02-501589). (City Attorney)

PASSED, ON FIRST READING

051101 **[Settlement of Lawsuit - San Francisco Unified School District]**

Ordinance authorizing settlement of the lawsuit filed by the San Francisco Unified School District against the City and County of San Francisco by provision of credits and rate reductions not to exceed $225,000 on past sewer service and future sewer and water service, for FY 2004-06; the lawsuit was filed on November 12, 2004 in San Francisco Superior Court, Case No. 436-240; entitled San Francisco Unified School District, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051102 **[Settlement of Lawsuit - Linda Alband]**

Ordinance authorizing settlement of the lawsuit filed by Linda Alband against the City and County of San Francisco for $35,000; the lawsuit was filed on May 11, 2004 in San Francisco Superior, Case No. 431-258; entitled Linda Alband, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051103 **[Settlement of Lawsuit - Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc.]**

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc. for $121,957.36; the lawsuit was filed on March 11, 2005 in the Superior Court of the State of California, County of San Francisco, Case No. 439452; entitled City and County of San Francisco, et al., v. Transamerica Life Insurance Company, et al. (City Attorney)

PASSED, ON FIRST READING

051181 **[Appointment - Asthma Task Force]**

Resolution appointing Benjamin Heckman, term ending June 30, 2007, to the Asthma Task Force.

Benjamin Heckman, new appointment, seat 21, must be an individual who represents property interests (non-voting member), for the unexpired portion of a two-year term ending June 30, 2007.

Enacted Number: 504-05
ADOPTED

051095 [Settlement of Claim - Boston Properties]
Resolution approving the settlement of the unlitigated claim filed by Boston Properties Limited Partnership against the City and County of San Francisco for $211,097; claim was filed on June 2, 2004. (City Attorney)

Enacted Number: 503-05
ADOPTED

Recommendation of the City Operations and Neighborhood Services Committee

050578 [Passenger-Carrying Commercial Motor Vehicle Restrictions]
Ordinance repealing San Francisco Police Code section 1183.2 to delete restrictions on the operation of passenger-carrying commercial motor vehicles on certain streets.

Enacted Number: 132-05
FINALLY PASSED

051094 [Settlement of Lawsuit- Larry Saxxon]
Ordinance authorizing settlement of the lawsuit filed by Larry Saxxon against the City and County of San Francisco for $500,000.00; the lawsuit was filed on December 5, 2003 in the San Francisco Superior Court, Case No. 427029; entitled Larry Saxxon v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051100 [Settlement of Lawsuit - Francine Davis]
Ordinance authorizing settlement of the lawsuit filed by Francine Davis

against the City and County of San Francisco for $170,000; the lawsuit was filed on May 28, 2004 in San Francisco Superior Court, Case No. 431-854; entitled Francine Davis, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed From the Consent Agenda

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

Supervisor McGoldrick Excused from Voting

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to excuse Supervisor McGoldrick, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

050817 **[Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance.]** **Supervisors Peskin, Maxwell, Alioto-Pier, Mirkarimi**

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, 29.4, and 29.7, to: exempt voter-approved projects from the Fiscal Feasibility Ordinance; include rent credits and City-granted Mills Act tax credits as "public monies" for purposes of the Ordinance; require additional information from applicants for environmental review; set a deadline for Board action; and, suspend application to certain projects undergoing environmental review.

Amended on page l, line 5, by deleting "and City granted Mills Act tax credits" and further amended on page 2, line 9 by deleting "City granted Mills Act tax credits" .

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

Recessed meeting of June 28, 2005

July 1, 2005

Supervisor Dufty, seconded by Supervisor Maxwell, moved to rescind the previous vote:

Motion to rescind the previous vote carried without objection.

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to: include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed.

July 1, 2005 Amendment of the whole bearing new title.

This matter will be considered at the July 12, 2005 meeting with the Board Sitting as a Committee of the Whole.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

050970 [Appropriate funding from the General Fund Reserve to fund over expenditures in salaries in — Supervisors Sandoval, Daly

the Office of the Public Defender for FY 2004-05]

Ordinance appropriating $270,000 from the General Fund Reserve to fund over expenditures in salaries caused by the inability to meet attrition targets in the Office of the Public Defender for fiscal year 2004-05. (Public Defender)

(Fiscal impact; Supervisor Elsbernd dissenting in Committee.)

Enacted Number: 160-05

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

From the Government Audit and Oversight Committee With Recommendation "Do Not Pass"

051016 [MOU - Municipal Attorneys' Association] Mayor

Ordinance adopting and implementing an arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association to be effective July 1, 2005 through June 30, 2006.

(Fiscal impact.)

Enacted Number: 149-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 2 - Daly, Peskin

Recommendations of the Land Use Committee

041154 [Zoning Map Amendments] Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Section Map 2, to change the use district designation of Assessor's Block 0185, Lots 5, 29, 30, 31, 38, 39, 40, and 41 from NC-2 (Small-Scale Neighborhood Commercial

District) to RM-1 (Residential, Mixed: Low Density); adopting findings pursuant to Planning Code Sections 302 and 101.1.

Enacted Number: 158-05

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Dufty, Ma

050297 **[Zoning Map Amendment and Repeal of Planning Code Section 263.1]** Supervisor Peskin

Ordinance amending the San Francisco Planning Code by repealing Section 263.1, which allows the Planning Commission to approve height up to 200 feet in the 65D-2 Height and Bulk District, and by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0195, Lots 4, 5, 12, 14, 15 and 16 from 65D-2 to 40-X and to change the height and bulk designation of the remaining assessor's blocks and lots within the 65D-2 Height and Bulk District from 65D-2 to 65-A; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Enacted Number: 159-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Ma

050299 **[Zoning Map Amendment]** Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco, Sheet 1H, to change the height and bulk designation of Assessor's Block 0139 from 84-E to 40-X and to change the height and bulk designation of Assessor's Blocks 0140 and 0141 from 84-E to 65-X; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

Enacted Number: 161-05

FINALLY PASSED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

NEW BUSINESS

Recommendation of the Budget and Finance Committee

050602 [Recreation and Park - S.F. Small Craft Harbor Fees] Supervisor Alioto-Pier

Ordinance making environmental findings and amending the San Francisco Park Code by repealing Section 12.11 and adopting a new Section 12.11 to increase current fees and add additional rental and services fees at the San Francisco Small Craft Harbor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

From the Budget and Finance Committee Without Recommendation

050763 [Lease of Real Property - One South Van Ness Avenue]

Resolution authorizing the exercise of an option to lease 66,317 square feet of space and extending the term of an existing lease at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco. (Real Estate Department)

(Fiscal impact.)

Enacted Number: 498-05

NOT ADOPTED by the following vote:

Ayes: 5 - Alioto-Pier, Elsbernd, Ma, Maxwell, McGoldrick
Noes: 6 - Ammiano, Daly, Dufty, Mirkarimi, Peskin, Sandoval

Recessed meeting of June 28, 2005

July 1, 2005

Supervisor Dufty, seconded by Supervisor Maxwell, moved to rescind the previous vote:

Motion to rescind the previous vote carried by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval

Noes: 3 - Ammiano, Daly, Mirkarimi

Absent: 1- McGoldrick

ADOPTED by the following vote:

Ayes: 7 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi
Absent: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to Physicians of the SF General Hospital Trauma Recovery Center.

SPECIAL ORDER 4:00 P.M.

041275 [Public Hearing - Appeal of Revised Certificate of Determination of Exemption from Environmental Review - American Buddhist Cultural Society Building located at 1730-1750 Van Ness Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated August 13, 2004, Case No. 2003.0657E, approving the proposed project to include: a renovation and vertical addition to the existing one-story-plus-mezzanine American Buddhist Cultural Society building; an expanded second level and construction of third and fourth levels for a total of four stories and a total height of approximately 70 feet; and add approximately 16,798 gross square feet (gsf) to the existing building for a total square footage of 27,758 gsf, located at 1730-1750 Van Ness Avenue, Assessor's Block 0622, Lot 019. (Appellant: 1776 Sacramento Street Homeowners Association, represented by the Law Offices of Stephen M. Williams).

(Filed September 9, 2004; companion measure to Files 041276, 041277, 041278; District 3.)

the President inquired as to whether or not any member of the public wished to address the Board.

Alan Low, representing project sponsor informed the Board they will be filing an amended application.

Paul Maltzer; Planning Department, informed the Board that the Planning Department had not yet received an amended application.

Continued to September 20, 2005.

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the certification of determination of exemption/exclusion from environmental review decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

041276 [Affirming the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion affirming the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005.

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

041277 [Disapproving the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion disapproving the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005.

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

041278 [Preparation of findings related to the categorical exemption issued for 1730-1750 Van Ness Avenue]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1730-1750 Van Ness Avenue project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005.

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved that

this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 4:24 p.m.

Reconvening of the Board

The Board at the hour of 4:30 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

Maxwell, Mirkarimi, Peskin - 9

Quorum present.

Supervisor McGoldrick noted present at 4:31 p.m.

Supervisor Sandoval noted present at 4:32 p.m.

SPECIAL ORDER 4:30 P.M.

050956 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 1740 20th Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005 (Case No. 2003.0960E), exempting from environmental review under State CEQA Guidelines, Sections 15301(a), 15301(e)(2), and 4(b), Class Numbers 1(a), 1(e)(2), and 4(b). The proposed project includes a vertical L-shaped addition, and a horizontal addition to a single-family residence. The new addition would add 1,346-gross-square-feet to an existing 2,202-gsf, approximately 12-foot tall single-family residence. There is currently one off-street parking space on the project site. The proposed project would add one additional off-street parking space. The addition would be 23-feet tall at its highest point. The 5,000-square-foot project site is located at 1740 20th Street, northeast corner of 20th and Wisconsin Streets on Assessor's Block 4069, Lot 018. The project site is within an RH-2 (Residential, House, Two-Family) zoning district and a 40-X height and bulk district. (Appellant: Vincent Marsh on behalf of Bob Siska, property owner.)

(Filed May 20, 2005; companion measure to Files 050957, 050958, 050959; District 10.)

President inquired as to whether or not any member of the public wished to address the Board.

David Cincotta, Attorney representing project sponsor.

Continued to July 12, 2005 as a Special Order at 4:00 p.m.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

050957 [Affirming the categorical exemption issued for 1740 20th Street]

Motion affirming the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to July 12, 2005 as a Special Order at 4:00 p.m.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050958 [Disapproving the categorical exemption issued for 1740 20th Street]

Motion disapproving the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to July 12, 2005 as a Special Order at 4:00 p.m.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050959 [Preparation of findings related to the categorical exemption issued for 1740 20th Street]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1740 20th Street Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to July 12, 2005 as a Special Order at 4:00 p.m.

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 4:37 p.m.

Reconvening of the Board

The Board at the hour of 5:02 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma,

Maxwell, McGoldrick, Mirkarimi, Peskin - 9

Quorum present.

Supervisor Daly noted present at 5:04 p.m.

Supervisor Sandoval noted present at 5:05 p.m

SPECIAL ORDER 5:00 P.M.

050952 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for Bay

Division Pipeline Nos. 3 and 4 Seismic Upgrade at Hayward Fault Project owned and operated by the San

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 16, 2005, exempting from environmental review under State CEQA Classes 1 (Existing Facilities) and 3 (New Construction). The proposed project would involve the seismic upgrade of the existing Bay Division Pipelines (BDPL) Nos. 3 and 4, owned and operated by the San Francisco Public Utilities Commission (SFPUC), located in the City of Fremont, California. BDPL No. 3 was originally constructed in the 1950's before the construction of Interstate 680, and consists of a 78-inch reinforced concrete pipe. BDPL No. 4 built in the 1960's, also before the construction of Interstate 680, consists of a 96-inch prestressed concrete cylinder pipe.

The work to be performed would consist of seismic upgrade of BDPL Nos. 3 and 4 at the Hayward Fault crossing by constructing two new vaults, the installation of shutoff valves in each vault, and the construction of a control building on top of each of the vaults to contain electrical and standby generator back-up power and a condition assessment of the existing pipelines to determine potential maintenance needs. BDPL Nos. 3 and 4 provides potable drinking water to the East and South Bay areas. (Appellant: Lijia Chen on behalf of Cayuga Network consisting of 40 appellants.)

(Filed 5/23/05; companion measure to Files 050953, 050954, 050955.)

The President informed the Board that the Categorical Exemption has been withdrawn.

President inquired as to whether or not any member of the public wished to address the Board.

Resident of Fremont, support of appellant

Mark Wolf, Attorney for the appellant,(Cayuga Network) requesting clarification of this matter.

Female speaker; appellant

Female speaker; Sue Ann Hong; request PUC to withdraw their request to withdraw the Categorical Exemption

The President declared the public hearing closed.

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Hearing be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the

public hearing.

(Only one of the following two motions should be adopted.)

050953 **[Affirming the categorical exemption issued for SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project]**

Motion affirming the determination by the Planning Department that the SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050954 **[Disapproving the categorical exemption issued for SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project.]**

Motion disapproving the determination by the Planning Department that the SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050955 **[Preparation of findings related to Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the SFPUC Bay Division Pipeline (BDPL) 3 & 4 Seismic Upgrade at Hayward Fault Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor McGoldrick, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

Recess

The Board recessed at the hour of 5:12 p.m.

Reconvening of the Board

The Board at the hour of 5:30 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma,

Maxwell, Peskin - 8

Quorum present.

Supervisor McGoldrick noted present at 5:31 p.m.

Supervisor Sandoval noted present at 5:31p.m.

Supervisor Mirkarimi noted present at 5:35 pm

SPECIAL ORDER 5:30 P.M.

051053 **[Public Hearing - Appeal of Minor Sidewalk Encroachment Permit for 149 Fair Oaks Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works by its decision dated May 25, 2005, denying a Minor Sidewalk Encroachment Permit No. 05MSE-261 for the construction of 15'-0" long x 3'-0" wide planter box and enclosure, leaving an 8'-8" clear pathway along the public sidewalk right-of-way fronting the property at 149 Fair Oaks Street. (Sherri Maurin.)

(Filed June 7, 2005; companion measure to Files 051063, 051063, District 8.)

John Kwong, Department of Public Works

The President inquired as to whether or not any member of the public wished to address the Board.

Continued to July 12, 2005 as a Special Order at 4:30 p.m.

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the minor sidewalk encroachment permit appeal described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051055 **[Affirming Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]**

Motion affirming the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and denying an Encroachment Permit. (Clerk of the Board)

Continued to July 12, 2005 as a Special Order at 4:30 p.m.

Supervisor Dufty, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051054 **[Disapproving Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]**

Motion disapproving the decision of the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and granting an Encroachment Permit. (Clerk of the Board)

Continued to July 12, 2005 as a Special Order at 4:30 p.m.

CONTINUED.

COMMITTEE REPORTS

050949 **[Grant of an Access Easement - Lake Merced Golf Club]**

Resolution approving an Easement Agreement between Lake Merced Golf Club, a California not-for-profit corporation, and the City and County of San Francisco, acting by and through its Public Utilities Commission ("SFPUC"),

for the grant of an access easement over SFPUC's Water Pipeline Right of Way in Daly City, San Mateo County. (Real Estate Department)

Enacted Number: 500-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051096 **[Extension of as-needed architectural services agreements for various public work projects]**

Ordinance approving extension of As-Needed Architectural Services agreements with (1) Joe Chow & Associates for completion of the San Francisco General Hospital SwissRay Digital Chest Installation Project (Specification No. 6299A), the San Francisco General Hospital Orthopedic Room Renovation 3M (Specification No. 6288A), the San Francisco General Hospital 1x65 Radiology Department Remodel (Specification No. 6377A), the San Francisco General Hospital TBI Bathroom Remodel 4B (Specification No. 6246A), (2) Carey & Co., for completion of the Tom Waddell Health Center Elevator Replacement (Specification No. 6126A), and (3) Levy Design for the completion of the Coffman Pool Reconstruction Project (Specification No. 6214A), under Administrative Code Chapter 6, section 6.64. (Public Works Department)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050819 **[Extending Early Retirement Program]** **Supervisor Ma**

Resolution extending Early Retirement Program for and through fiscal year 2005-06.

(Fiscal impact.)

Enacted Number: 499-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051039 **[Accept-Expend State Grant - District Attorney]** **Supervisors Ma, Dufty**

Resolution authorizing the Office of the District Attorney to contract for, accept and expend up to $172,758 allocated from the California Victim Compensation and Government Claims Board for a project entitled the

Criminal Restitution Compact for the period of July 1, 2005 through June 30, 2007.

Enacted Number: 502-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051037 **[Renew Joint Power and Revolving Fund Contract with State]** **Supervisors Ma, Dufty**

Resolution authorizing the Office of the District Attorney to enter into a Joint Power and Revolving Fund Contract with the California Victim Compensation and Government Claims Board to: (i) contract for, accept and expend up to $1,292,074 allocated from the California Victim Compensation and Government Claims Board for the assistance of victims and witnesses of crime for the period of July 1, 2005 through June 30, 2007; and (2) renew its current agreement with the California Victim Compensation and Government Claims Board, an agent of the State of California, for a revolving loan fund in the amount of $75,000 to be used to pay for verified funeral/burial expenses and emergency relocation for victims of domestic violence and sexual assault for an additional two years, from July 1, 2005 through June 30, 2007.

Enacted Number: 501-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

Supervisor Ammiano, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege the floor to the following guest:

Former California Senator Tom Hayden addressed the Board relating to a proposed Ordinance relating to sweat shop free manufacturing.

PUBLIC COMMENT

James Chaffee; expressed concern over corporate issues

Male speaker; expressed concern over general issues

John DiDonna; expressed concern over violent actions

Eugene Gordon; expressed concern over general issues

Sarah; support of endangered species act legislation

Female speaker, Sierra Club; support of endangered species act legislation

Diana Brandt; expressed support of sweat shop free manufacturing legislation

Male speaker; expressed support of sweat shop free manufacturing legislation

Michael McEvoy, New College; expressed support of sweat shop free manufacturing legislation

Lorraine Geran, NLG; expressed support of sweat shop free manufacturing legislation

Tim Paulson, SF Labor Council; expressed support of sweat shop free manufacturing legislation

Male speaker; showed interest regarding the regulating of medical cannabis

Reverend Webster; showed interest regarding the regulating of medical cannabis

Zachary Richard; showed interest regarding the regulating of medical cannabis

Ryan Zen, Organic Consumers; to include organic certified foods in the sweat shop free manufacturing legislation

Eric Albrecht; expressed support of sweat shop free manufacturing legislation

Stacey; expressed support of sweat shop free manufacturing legislation and

organic and free trade legislation

Female, Global Exchange; expressed support of sweat shop free manufacturing legislation

Rubin David Goodman; expressed concern over hate crimes

Judd, La Raza; expressed support of sweat shop free manufacturing legislation

Justin Agustine; support of endangered species legislation

Mike Aldrich; showed concern regarding medical marijuana cannabis regulations

Jean Walsh; Trade Fare, support of sweat shop free manufacturing legislation

Global Exchange; support of sweat shop free manufacturing

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislatian and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

051203 **[Legislative Analyst Request - Housing Above Retail]** **Supervisor Dufty**

Motion requesting the Legislative Analyst to research, analyze, and gather data on Housing above retail. (1) How have other municipalities dealt with this issue?; (2) Have other cities (Seattle, Portland) offered incentives to encourage housing above retail?; and (3) Have the incentives been successful?.

APPROVED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 2 - Ammiano, Mirkarimi

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 68 through 85

051183 **[Commending California Trout and Pacific Gas and Electric on the Success of "Trout Day 2005"]** **Supervisors Elsbernd, Maxwell, Ma**

Resolution commending California Trout and Pacific Gas and Electric on the success of "Trout Day 2005".

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 505-05

ADOPTED

051193 [Issuance and Sale of Revenue Bonds - San Francisco University High School] — Supervisor Alioto-Pier

Resolution approving the issuance and sale of revenue bonds by the ABAG Finance Authority for Nonprofit Corporations in an aggregate principal amount not to exceed $20,000,000 for San Francisco University High School.

Enacted Number: 497-05

ADOPTED

051197 [New Gas Tax Revenue] — Supervisors Ammiano, Dufty, Sandoval, Mirkarimi

Resolution urging the Governor of California, the California Senate and Assembly to retain transit "spillover" funds for public transportation purposes as prescribed in current law and which would provide San Francisco MUNI with an additional $17.7 million in funds that could be used for transit operations and capital needs.

Enacted Number: 516-05

ADOPTED

051205 [Supporting Federal Legislation regarding Endangered Species Act] — Supervisors Peskin, Mirkarimi

Resolution affirming San Francisco's support for upholding the Endangered Species Act so it may continue to protect our plants and animals and the special places they live, from the finality of extinction, and urging federal and state elected representatives to do the same.

Enacted Number: 506-05

ADOPTED

051206 [Trinity Plaza Development Agreement] — Supervisor Daly

Resolution of the Board of Supervisors declaring its intent to enter into a binding Development Agreement concerning the proposed Trinity Plaza development project at 1177 Market Street.

Enacted Number: 507-05

ADOPTED

051207 [Commending Derrick Lam] Supervisors Sandoval, Ma

Resolution commending Derrick Lam on the occasion of his retirement from the City and County of San Francisco.

Supervisor Ma requested to be added as a co-sponsor.

Enacted Number: 508-05

ADOPTED

051209 [Resolution commending Charles Camilleri] Supervisor Dufty

Resolution commending Charles Camilleri on the occasion of his retirement

Enacted Number: 510-05

ADOPTED

051210 [Exclusive Negotiating Agreement for Development of the Old Mint] Supervisors Peskin, Mirkarimi

Resolution extending the expiration date of the Exclusive Negotiating Agreement between the City and the San Francisco Museum and Historical Society for the development of the Old Mint.

Enacted Number: 515-05

ADOPTED

051211 [Old Mint; Transferable Development Rights] Supervisors Peskin, Mirkarimi

Enacted Number: 511-05

ADOPTED

051212 [Zoning - Extension of Planning Commission Review Period] Supervisor Peskin

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code with respect to controls in the North Beach Neighborhood Commercial District

Enacted Number: 512-05

ADOPTED

051213 [Resolution urging Toyota Motor Corporation to stop destroying its zero-gasoline, zero-emission RAV4 EVs] — Supervisors Daly, Mirkarimi

Resolution urging Toyota Motor Corporation to stop destroying its zero-gasoline, zero emission RAV4 EVs.

Enacted Number: 513-05

ADOPTED

051214 [Zoning - Extension of Planning Commission Review Period] — Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

Enacted Number: 514-05

ADOPTED

051216 [Supporting ACA17, primary voting rights for seventeen year olds.] — Supervisor Mirkarimi

Resolution supporting ACA 17 which would allow for seventeen year olds who would turn eighteen prior to a general election to vote in the primary election for that general election.

Enacted Number: 518-05

ADOPTED

051127 [Final Map, Planned Development - Mission Bay]

Motion approving Final Map, Planned Development, Mission Bay (Block N5), a single-lot subdivision, being a Planned Development of Assessor's Block 8703, Lot 6; approving a public improvement agreement related to the final map; and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 and the Mission Bay North Redevelopment Plan and Plan Documents. (Public Works Department)

(DPW Order No. 175,471; District 6.)

Enacted Number: M05-93

APPROVED

051182 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-82

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Committee Reference Agenda

Supervisor Alioto-Pier requested that this matter be severed so that it might be considered separately.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved to suspend Board of Supervisors Rules of Order Nos. 2.11 and 2.13.

Motion carried without objection.

051163 [Urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, to call on the President to withdraw U.S. troops from Iraq] Supervisors Daly, Mirkarimi, Sandoval, Ammiano, Peskin, McGoldrick

Resolution urging Representatives Nancy Pelosi and Tom Lantos to add their names to the list of Representatives sponsoring H.Con.Res.35, introduced by Representative Lynn Woolsey.

Supervisors Ammiano, Peskin and McGoldrick requested to be added as co-sponsors.

Enacted Number: 517-05

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

051208 **[Contract Approval - Department of the Environment]** **Supervisor Mirkarimi**

Resolution pursuant to Charter section 9.118(a) authorizing the Department of the Environment to amend a contract with Pacific, Gas and Electric to add $685,500 to the contract amount and to extend the contract period for an additional year until June 30, 2006 in order to continue implementation of the Demand Reduction Through Energy Efficiency Pilot Program.

Department of Enviromnment represetntative reviewed the legislation with the Board.

Enacted Number: 509-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

051215 **[Urging State Legislators to Permit Person 16 Years of Age or Older to Vote in City or County Elections]** **Supervisors Mirkarimi, McGoldrick, Ammiano, Daly**

Resolution urging the California Legislature to pass a bill that will allow local choice legislation, for which any city or county could permit persons 16 years or older to vote in city or county elections.

Continued to July 12, 2005

Supervisor Elsbernd, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty,

Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Ammiano, seconded by Supervisor Daly, moved to recess the meeting to Friday July 1, 2005 at 9:00 a.m.

Motion to recess the meeting to Friday, July 1, 2005 at 9:00 a.m. carried without objection.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051248 **[Sacramento Street Neighborhood Commercial District - Allowing residential conversion on second and third stories with a conditional use permit]** — **Supervisor Alioto-Pier**

Ordinance amending Section 724.1 of the Planning Code to allow, as a conditional use, for conversion of upper floor residential units in the Sacramento Street Neighborhood Commercial District as a conditional use, where: the new use will be an Other Institution, Large, Educational Services use, only one dwelling unit in building will be converted and that unit is the only non-residential use in the building, and no legally residing tenant will be displaced; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

6/28/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/28/2005.

051250 **[Medical cannabis guidelines and medical cannabis dispensary zoning and permitting]** — **Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house and residential-mixed zoning districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to schools, community centers and institutions for the treatment of addictive diseases; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require dispensaries operating before April 1, 2005 to obtain a permit within 18

months of the effective date of this legislation or cease operation; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical marijuana possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; set out operating requirements for medical cannabis dispensaries; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending Section 1, and by adding Sections 1.177 and 249.17, to authorize the Department of Health to issue medical cannabis dispensary permits and to set out the license fees for medical cannabis dispensaries.

6/28/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/28/2005.

051257 [Sweatfree Ordinance]

Mayor, Supervisors Ammiano, Alioto-Pier, Daly, Mirkarimi, Maxwell, McGoldrick, Dufty, Ma

Ordinance amending the San Francisco Administrative Code by adding Chapter 12U, finding that the City would benefit by spending its funds in a manner that would support safe and humane working conditions; requiring contractors and subcontractors providing goods to the City and County to comply with laws and standards affecting labor and employment conditions for employees performing work under the contract and subcontracts, including:not engaging in abusive forms of child labor, foreign convict or forced labor, or slave labor; and compliance with all human and labor rights and labor standards imposed by law or treaty law on the country where the goods are being made or assembled; paying wages that are not less than a minimum wage established by the Director of the Office of Contract Administration; compliance with all applicable laws governing wages, employee benefits, health and safety, labor, environmental conditions, nondiscrimination, freedom of association; creating the Sweatfree Procurement Advisory Group to make recommendations on the implementation, administration or enforcement of this Chapter to the Director of the Office of Contract Administration and the Office of Labor Standards Enforcement; targeting the procurement of garments for enforcement of this Chapter during the first full fiscal year following the effective date of the Chapter, and, thereafter, targeting other goods for enforcement based on recommendations of the Sweatfree Procurement Advisory Group submitted by the Director of the Office of Contract Administration to the Board of Supervisors and approved by ordinance.

(Fiscal impact.)

6/29/05, RECEIVED AND ASSIGNED to Budget and Finance Committee. Sponsors request this item be scheduled for consideration at the August 4, 2005 meeting.

051258 [Golf Fees - Cost of Living, McLaren Park] Supervisor McGoldrick

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.12 to increase the fees at Harding Park and Fleming Golf Courses; amending Sec. 12.16 to increase the fees at Golden Gate Park Golf Course; amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and adding Sec. 12.37 to establish fees for Gleneagles Course at McLaren Park.

6/28/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051260 [Medical Cannabis Dispensaries - Zoning] Supervisor Sandoval

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 303, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house and residential-mixed zoning districts; permit dispensaries as conditional uses elsewhere subject to the restriction that no dispensary may be located within 1000 feet of another dispensary; provide additional conditional use criteria for evaluating proposed dispensaries relating to the proposed dispensary's proximity to schools, playgrounds, neighborhood centers, drug treatment centers, child care centers, and other medical cannabis dispensaries; allow medical cannabis dispensaries in operation prior to April 1, 2005 twelve months from the effective date of this legislation to obtain a conditional use permit or otherwise discontinue operation; prohibit dispensaries from applying for conditional use permits while they are under a notice of violation from the Planning Department or the subject of legal action by the City; require a notice on all dispensary permits that the permits are not intended to and do not authorize the violation of State or Federal law; and making environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

6/28/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/28/2005.

Resolutions

051247 [Golden Gate Park Music Concourse - Surface Circulation Plan] Supervisors Mirkarimi, McGoldrick, Peskin

Resolution approving the Golden Gate Park Music Concourse Surface Circulation Plan known as Option 2A, which prohibits the use of the Music Concourse for cut-through automobile traffic and provides for vehicular drop-off for visitors to the Concourse from the north and south; making environmental and other findings; and authorizing official acts in connection with this approval.

6/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 07/15/05 - Parking and Traffic notified to post notices and ad place in the SF Chronicle 7/22/05 edition.

051249 [Request Full Reimbursement by the State for Statewide Special Election] Supervisors Elsbernd, Ammiano, Dufty, Peskin

Resolution urging the State of California to fully reimburse all California counties for the associated costs of the special election in November 2005.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051252 **[Recognizing July 2005 as Recreation and Parks Month]** Supervisor Ma

Resolution recognizing July 2005 as "Recreation and Parks Month" in the City and County of San Francisco.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051253 **[Recognizing the 8th Anniversary of the San Francisco Immigrant Rights Commission]** Supervisors Ma, Dufty

Resolution recognizing the 8th anniversary of the San Francisco Immigrant Rights Commission.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051261 **[Zoning - Extension of Planning Commission Review Period]** Supervisor Alioto-Pier

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code section 260 to increase the height exemption for elevator penthouses from 10 to 16 feet.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051262 **[Arts Task Force Recommendations]** Supervisor Ammiano

Resolution adopting a policy that no action shall be taken to change the City's Hotel Tax allocation language regarding the process by which hotel tax revenues are distributed to City agencies that support and serve arts organizations and artists in San Francisco until the Arts Advisory Task Force has undertaken and completed the purposes and duties as set forth in Board of Supervisors resolution No. 781-04 and has submitted its final written recommendations to the Mayor and Board of Supervisors.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051263 **[Planning grant for the use of Prop 63, Mental Health Services Act, funding]** Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $207,487 from the California Department of Mental Health (CDMH) for community program planning as part of the Prop 63, Mental Health Services Act funding, and to enter into an agreement for the use of these funds; for the period of January 1, 2005, through September 30, 2005.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051264 **[Senate Bill 861 - Dangerous and vicious dogs]** Supervisor Dufty

Resolution endorsing Senate Bill 861, introduced by Senator Jackie Speier, and urging the California State Legislature and the Governor of California to

support this bill.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051265 **[Urging the CPUC and the State Legislature to take steps to prevent the PG&E Company from engaging in competitive practices as the CCSF moves to implement Community Choice Aggregation]** — **Supervisor Sandoval**

Resolution urging the California Public Utilities Commission and the State Legislature to take steps to prevent the Pacific Gas & Electric Company from engaging in competitive practices as the City and County of San Francisco moves to implement Community Choice Aggregation.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051266 **[Training grant to promote and advance cultural competency in Departmental programs]** — **Supervisors Ma, Dufty**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $121,047 from The California Endowment for training to advance cultural competency, and to enter into an agreement for the use of these funds; for the period of April 1, 2005, to March 31, 2006.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051267 **[Organic Certified Goods]** — **Mayor, Supervisors Ammiano, Mirkarimi**

Resolution establishing City policy of maximizing purchase of Organic Certified materials when procuring necessary goods for the city.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051268 **[Fair Trade Certified Goods]** — **Mayor, Supervisors Ammiano, Mirkarimi**

Resolution establishing City policy of maximizing purchase of Fair Trade Certified materials when procuring necessary goods for the City.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051275 **[Legal Action - Protecting Tenants]** — **Supervisor Peskin**

Resolution urging the San Francisco City Attorney to file a `friend of the court'/amicus curiae' brief to set forth our city's interest in protecting tenants against wrongful evictions.

6/28/05, RECEIVED AND ASSIGNED to Land Use Committee.

Requests For Hearing

051241 **[Hearing - "Fisherman's Wharf Community Benefit District (CBD)"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, subject to conditions as specified, and making environmental findings. (Clerk of the Board)

6/28/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051184, to Board as a Special Order on July 26, 2005, at 3:00 p.m.

051242 **[Hearing - "Noe Valley Community Benefit District (CBD)"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)

6/28/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051185, to Board as a Special Order on August 2, 2003, at 3:00 p.m.

051243 **[Hearing - "2500 Block of Mission Street Business Improvement District (BID)"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "2500 Block of Mission Street Business Improvement District (BID)," ordering the levy and collection of assessments against property located in that district for five years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)

6/28/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051189, to Board as a Special Order on July 26, 2005, at 3:00 p.m.

051244 **[Hearing - "Castro/Upper Market Community Benefit District (CBD"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)

6/28/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051187, to Board as a Special Order on August 2, 2005, at 3:00 p.m.

051245 **[Hearing - "North of Market/Tenderloin Community Benefit District (CBD)"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings (Clerk of the Board)

6/28/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051192, to Board as a Special Order on August 2, 2005, at 3:00 p.m.

051246 [San Francisco's Drinking Water] Supervisor Peskin

Hearing to examine the San Francisco Public Utilities Commission's conversion to chloramine as a means of disinfecting San Francisco's drinking water.

6/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051274 [Lead Hazards in City Government] Supervisor Peskin

Hearing to discuss departmental responses to recommendations included in the most recent Health Code Section 1609 Report regarding efforts to limit lead hazards in City government.

051276 [Continuum of LGBTQ Youth Services] Supervisor Dufty

Hearing to consider the continuum of LGBTQ Youth Services, focusing on the reopening of the Eureka Valley Recreation Center and the opportunity to better address needs of this underserved population. This hearing will consider the potential for new services to address behavioral health and substance abuse issues in the LGBTQ Youth Community.

6/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this matter be scheduled at the July 18, 2005 meeting.

051277 [Hearing - Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance] Supervisor Peskin

Hearing of persons interested in or objecting to proposed ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to: include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed. (Clerk of the Board)

6/28/05, SCHEDULED FOR PUBLIC HEARING. Board to sit as a Committee of the Whole on July 12, 2005, at 3:00 p.m.

Motions

051251 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE

AGENDA AT THE NEXT BOARD MEETING.

051259 **[Legislative Analyst Request - Rent Boards]** Supervisor Sandoval

Motion requesting the Legislative Analyst to survey other major cities such as Berkeley to find out details about their Rent Boards or equivalent agencies. Among other issues, the report should detail who has appointing authority for board members and what the ratios between tenant and landlord representatives are on the boards.

6/28/05, ASSIGNED to Board of Supervisors. Scheduled for Board consideration July 12, 2005.

051254 **[Appointment - Board of Appeals, Katharine Albright]**

Motion approving the Mayor's appointment of Katharine Albright to the Board of Appeals for the term ending July 1, 2008. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 051255.) Transmittal date - June 28, 2005.

6/28/05, RECEIVED AND ASSIGNED to Rules Committee.

051255 **[Appointment - Board of Appeals, Katharine Albright]**

Motion rejecting the Mayor's appointment of Katharine Albright to the Board of Appeals. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.) Transmittal date - June 28, 2005.

6/28/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

051129 **[General Plan Amendment in connection with the Executive Park -- Candlestick Cove Project]**

Ordinance amending the San Francisco General Plan in connection with approvals for the proposed Executive Park - Candlestick Cove Project; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the General Plan amendment is consistent with the General Plan and the eight Priority Policies of Planning Code Section 101.1. (Planning Department)

6/20/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on

7/28/2005.

051128 **[Designate 1110 Taylor Street, the Glaser-Keating as as a Landmark]**

Ordinance Designating 1110 Taylor Street, the Glaser-Keating House, As Landmark No. 251 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

6/17/05, RECEIVED AND ASSIGNED to Land Use Committee.

051231 **[Department of Building Inspection Cash Revolving Fund]**

Ordinance amending San Francisco Administrative Code Section 10.135 to increase the Cash Revolving Fund of the Department of Building Inspection from $200 to $600.

6/15/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

051125 **[Airport Contract Modification - Professional Services Agreement for contract No. 3399]**

Resolution approving Modification No. 5, of the Professional Services Agreement for contract No. 3399 - Professional insurance brokerage services for specification, placement and administration of an OCIP for the Airport's Master Plan with J&H Marsh McLennan/Merriwether & Williams Insurance Services, to extend the term of the contract for three years for a new ending date of June 30, 2007. (Airport Commission)

6/17/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED MOTIONS

Requests Granted

From: Supervisor Sandoval

To: City Attorney

Requesting/Inquiring: To draft legislation setting out specific fines for violations under the jurisdiction of the Ethics Commission.

From: Supervisor Dufty

To: Controller's City Services Auditor Team

Requesting/Inquiring: Requesting that the Controller's City Services Auditor Team evaluate the performance of Muni's J-Church Line in comparison with

other streetcar lines.

District 8 Muni Riders consistently petition that the J-Church has greater bunching that leads to longer wait times.

They also assess that overcrowding, bunching, and delays discourage ridership and that possible riders instead opt to drive to work or walk to BART on 24th Street.

There are also issues with the regular cleaning and maintenance adherence for the J-Church tracks at 30th Street. Unless the tracks are regularly cleaned, the screeching is loud and audible within homes as Breda and F-Line Streetcars make that tight turn from 30th to Church and vice versa.

I was also advised that there was an incident with an incoming train at 7:45 a.m., Sunday, June 26th approaching the Duboce/Church tunnel. Apparently the driver stopped the streetcar at Safeway at 7:50 a.m. and announced that he could not enter the tunnel until 8:00 a.m. and that riders had to disembark in order to catch an M-Line bus. Then once the passengers left the train, it entered the tunnel, causing great irritation and inconvenience.

Generally, I would like to understand how the J-Church is operating, what steps can be taken to improve service quality and consistency and what investments could be made it improve this line's efficiency.

From: Supervisor Dufty

To: Controller

Requesting/Inquiring: Requesting the Controller to look at the implementation plan in Fiscal

In Memoriams

Chet Helms - Entire Board

Marie Maxey - Supervisor Mirkarimi

Maryanne Harrison - Entire Board

Eugene L. Friend - Supervisor Peskin

Samuel Frank Haar - Supervisor Alioto- Pier

Orville Luster - Supervisors Maxwell and Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:38 p.m.

The recessed meeting of July 1, 2005 adjourned at the hour of 9:32 a.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 26, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAŸOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall.

Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
SEP - 2 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, July 12, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll Supervisors Alioto-Pier and McGoldrick were noted absent.

Supervisor McGoldrick was noted present at 2:07 p.m.

Supervisor Alioto-Pier was noted present at 2:09 p.m

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to approve June 7, 2005 and June 14, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, McGoldrick

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051145 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved] — Mayor

Resolution concurring with the Controller's certification that services previously approved under Proposition J can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: central shops security and convention facilities management services (Admin Services); shuttle bus and information booth services (Airport); budget analyst (Board of Supervisors); paratransit services (Municipal Railway); citation information, coin counting and collection, janitorial and landscaping, security, and towing services (Parking & Traffic); security services (Public Works); Project S.A.F.E. (Police); janitorial and security services (Port); and jail food services (Sheriff).

Enacted Number: 523-05

ADOPTED

Recommendation of the Government Audit and Oversight Committee

051096 [Extension of as-needed architectural services agreements for various public work projects]

Ordinance approving extension of As-Needed Architectural Services agreements with (1) Joe Chow & Associates for completion of the San Francisco General Hospital SwissRay Digital Chest Installation Project (Specification No. 6299A), the San Francisco General Hospital Orthopedic Room Renovation 3M (Specification No. 6288A), the San Francisco General Hospital 1x65 Radiology Department Remodel (Specification No. 6377A), the San Francisco General Hospital TBI Bathroom Remodel 4B (Specification No. 6246A), (2) Carey & Co., for completion of the Tom Waddell Health Center Elevator Replacement (Specification No. 6126A), and (3) Levy Design for the completion of the Coffman Pool Reconstruction Project (Specification No. 6214A), under Administrative Code Chapter 6, section 6.64. (Public Works Department)

Enacted Number: 164-05

FINALLY PASSED

Recommendations of the Rules Committee

051094 [Settlement of Lawsuit- Larry Saxxon]

Ordinance authorizing settlement of the lawsuit filed by Larry Saxxon against the City and County of San Francisco for $500,000.00; the lawsuit was filed on December 5, 2003 in the San Francisco Superior Court, Case No. 427029; entitled Larry Saxxon v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 163-05

FINALLY PASSED

051099 [Authorizing Payment of Attorney's Fees and Costs After Appeal]

Ordinance authorizing the payment of $37,240.25 in attorney's fees and costs after the appeal in the lawsuit filed by John Baba, Philip Brady, Sergio Iantorno, John Zanghi, and Arnold W. Evje, II, against the Board of Supervisors of the City and County of San Francisco, the Residential Rent Stabilization and Arbitration Board of the City of the City and County of San Francisco, and the City and County of San Francisco. The lawsuit was filed on August 30, 2002, and the motion for attorney's fees and costs on appeal was filed on May 9, 2005, in San Francisco Superior Court (Case No. CPF-02-501589). (City Attorney)

Enacted Number: 165-05

FINALLY PASSED

051100 [Settlement of Lawsuit - Francine Davis]

Ordinance authorizing settlement of the lawsuit filed by Francine Davis against the City and County of San Francisco for $170,000; the lawsuit was filed on May 28, 2004 in San Francisco Superior Court, Case No. 431-854; entitled Francine Davis, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 166-05

FINALLY PASSED

051101 [Settlement of Lawsuit - San Francisco Unified School District]

Ordinance authorizing settlement of the lawsuit filed by the San Francisco Unified School District against the City and County of San Francisco by provision of credits and rate reductions not to exceed $225,000 on past

sewer service and future sewer and water service, for FY 2004-06; the lawsuit was filed on November 12, 2004 in San Francisco Superior Court, Case No. 436-240; entitled San Francisco Unified School District, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 167-05

FINALLY PASSED

051102 [Settlement of Lawsuit - Linda Alband]

Ordinance authorizing settlement of the lawsuit filed by Linda Alband against the City and County of San Francisco for $35,000; the lawsuit was filed on May 11, 2004 in San Francisco Superior, Case No. 431-258; entitled Linda Alband, et al., v. City and County of San Francisco, et al. (City Attorney)

Enacted Number: 168-05

FINALLY PASSED

051103 [Settlement of Lawsuit - Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc.]

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Transamerica Life Insurance Company, Transamerica Insurance Company of California, and Aegon U.S.A. Realty Advisors, Inc. for $121,957.36; the lawsuit was filed on March 11, 2005 in the Superior Court of the State of California, County of San Francisco, Case No. 439452; entitled City and County of San Francisco, et al., v. Transamerica Life Insurance Company, et al. (City Attorney)

Enacted Number: 169-05

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 2 - Alioto-Pier, McGoldrick

Severed From the Consent Agenda

Supervisor Daly requested that File Nos. 051144 and File 051147 be severed so that they might be considered separately.

051144 **[Proposition J Contract/Sign Posting for Events for Police Department/Fiscal Emergency]** Mayor

Resolution concurring with the Controller's certification that sign posting for various events for the Police Department can be performed by private contractor for a lower cost than similar work performed by City and County employees.

Enacted Number: 522-05

NOT ADOPTED by the following vote:

Ayes: 3 - Elsbernd, Ma, Peskin
Noes: 6 - Ammiano, Daly, Dufty, Maxwell, Mirkarimi, Sandoval
Absent: 2 - Alioto-Pier, McGoldrick

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved to rescind the previous vote.

Motion to rescind the previous vote was carried without objection.

Supervisor McGoldrick was noted present at 2:07 p.m.

Supervisor Alioto-Pier was noted present at 2:09 p.m.

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

051147 **[Proposition J Contract/Body Removal Services For Medical Examiner's Office/Fiscal Emergency]** Mayor

Resolution concurring with the Controller's certification that body removal services for the Medical Examiner's Office, Department of Administrative Services can be performed by private contractor for a lower cost than similar work performed by City and County employees.

Enacted Number: 524-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Ammiano, Daly

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

050602 [Recreation and Park - S.F. Small Craft Harbor Fees] Supervisor Alioto-Pier

Ordinance making environmental findings and amending the San Francisco Park Code by repealing Section 12.11 and adopting a new Section 12.11 to increase current fees and add additional rental and services fees at the San Francisco Small Craft Harbor.

Enacted Number: 162-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

NEW BUSINESS

Recommendations of the Budget and Finance Committee

050968 [Annual Budget, FY 2005-06]

Motion approving Annual Budget for the City and County of San Francisco for Fiscal Year 2005-2006. (Clerk of the Board)

(Supervisors Mirkarimi and McGoldrick Dissenting in Committee)

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051130 [Government Funding, Fiscal Year 2005-2006] Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

(Fiscal impact.) (Supervisor McGoldrick Dissenting in Committee) (Supervisor Mirkarimi Dissenting in Committee on the Annual Appropriation Ordinance for Selected Departments)

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051131 [Public Employment, Fiscal Year 2005-2006] Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050995 [Redevelopment Agency Budget and Bonds] Mayor

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2005-2006; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed $118,000,000 for the purpose of financing a portion of Redevelopment activities as described in such approved Budget for fiscal year 2005-2006.

(Fiscal impact.)

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050997 [Treasure Island Development Authority Budget] Mayor

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2005-2006.

(Fiscal impact.)

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050983 [Clarifying that the Bureau of Delinquent Revenue is authorized to add costs incurred in collecting money owed to the city to the original charge and to collect those costs from the debtor] Mayor

Ordinance amending Chapter 10, Article V of the San Francisco Administrative Code by amending Section 10.41-1 to authorize the Bureau of Delinquent Revenue Collection to collect costs incurred in collecting claims for money owed to the City, to add those costs to the original charge and to collect those costs from the debtor.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

050984 [Increasing fees for certain services provided by the Medical Examiner] Mayor

Ordinance making environmental findings, and amending San Francisco Administrative Code Section 8.14, to increase the fees for forensic non-medical examiner or outside county autopsy, disaster bags, removal of remains, and storage of remains.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050985 [Patient Rates] Mayor

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2005.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050986 [Public Works Code occupancy assessment fees for various encroachments] Mayor

Ordinance amending the Public Works Code to amend Section 723.2 to adopt a public right-of-way occupancy assessment fee for minor sidewalk encroachments, to amend Section 724.1 to modify the public right-of-way occupancy assessment fee for temporary street occupancy permits; and to add Section 786.7 to adopt a public right-of-way occupancy assessment fee for street encroachments; and making environmental findings.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050987 [Golf Fees - Harding Park, Golden Gate Park, McLaren Park] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.12 to increase the fees at Harding Park and Fleming Golf Courses; amending Sec. 12.16 to increase the fees at Golden Gate Park Golf Course; amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and amending Sec. 12.33 to set a maximum fee for golf cart rentals.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050989 [Recreation and Park - Tiny Tots Fees] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.35 to standardize the Department's Tiny Tot/Child Development Program's curriculum and associated fee schedule.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050990 [Recreation and Park Department - Athletic Field Permit Fees for Adults] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.36 to increase the fees for use of the athletic fields by adults.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050991 [Recreation and Park - Aquatic Fees] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.34 establishing the fee structure for use of aquatic facilities and for related aquatic activities.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050992 [Lake Merced Fees - Boat Storage] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding San Francisco Park Code Section 12.38 to establish boat storage fees.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050999 [Arts Commission Special Funds] Mayor

Ordinance amending Article XIII of the San Francisco Administrative Code by amending Sections 10.100-28, 10.100-30 and 10.100-34 to redesignate the Arts Commission Market Street Art Maintenance Fund and the Arts Commission Youth Arts Fund as sub-accounts of the Arts Commission Public Arts Fund.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051000 [Board of Appeals Surcharge] Mayor

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to add a Board of Appeals surcharge for tobacco retailer's permits issued pursuant to San Francisco Health Code Section 1009.53, (2) amending Section 10G.1 to adjust the surcharges for permits and annual license renewals issued pursuant to San Francisco Police Code Sections 2.26, 2.27 and 2.27.1, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the new Board of Appeals Surcharge and adjustments to existing Board of Appeals surcharges are not a "project" and that such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals pursuant to Charter Section 4.106.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050993 [Providing for waiver of fees and changing fees for Emergency Medical Services and making environmental findings] Mayor

Ordinance amending Article 3 of the Health Code by adding Section 120.1 to require the San Francisco Fire Department to waive fees for Emergency Medical Services upon a showing that all persons legally obligated to pay have insufficient income to pay the bill without undue hardship and the patient is not covered by insurance; and amending Section 128.1, to create a fee for providing service to a patient without transporting the patient, to increase the base rate fees for both Basic Life Service and Advanced Life Service, to increase the fee for mileage, to eliminate the fee for night service, to substitute a flat fee for supplemental supplies in place of fees for individual supplies used to treat each patient, to amend the language regarding changes in fees in subsequent years to fix typographical errors, to eliminate the provision by which the San Francisco Fire Department could add charges for additional supplies, and to make environmental findings.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050994 [Increasing Fire Department Fees For Service] Mayor

Ordinance amending Sections 106.8, 106.9, 106.11, 106.15, 106. 17, and Table 106B of the San Francisco Fire Code to increase the San Francisco Fire Department's fees for high rise inspection, plan review, pre-application plan review, overtime, and water flow requests, to become operative on its effective date or on July 1, 2005 whichever is later, and making environmental findings.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051001 [Making Environmental Findings and Establishing the Community Courts Program and Administrative Fee] Mayor

Ordinance making required environmental findings; amending section

10.100-95 of the Administrative Code to provide that monies collected from participants in the Community Court Program to settle disputes or dismiss charges be deposited in the Mayor's Community Support Fund and make other technical amendments; amending section 10.100-295 of the Administrative Code to designate the Mayor's Office of Criminal Justice as administrator of the Dispute Resolution Program and Fund and to designate the Mayor's Office of Criminal Justice and the District Attorney's Office as administrators of the Community Courts Program; and to add section 10.183 to the Administrative Code to establish and authorize the District Attorney to collect a Community Court Program Administrative Fee to recover the City's costs for the District Attorney to participate in the operation of the Community Courts Program.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051002 **[Establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections]** Mayor

Ordinance making environmental findings and amending the San Francisco Administrative Code by adding a new section 2A.22.1 establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections.

Continued to July 19, 2005

CONTINUED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051003 **[Repeal of exemption from paying tow and storage fees on stolen vehicles, and waiver of an administrative fee for recovered stolen vehicles owned by residents]** Mayor

Ordinance repealing San Francisco Administrative Code Section 10C.8-1, which exempts residents of San Francisco from paying tow and storage fees on stolen vehicles, and amending San Francisco Administrative Code Section 10C.1 and San Francisco Traffic Code Section 170.1 to exempt City residents from payment of an administrative fee in connection with the towing and storage of stolen vehicles.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin,

Sandoval

051004 [Recovery of the City's costs of emergency response to incidents resulting from the negligent operation of a motor vehicle, boat or vessel by a person under the influence of alcohol or — Mayor, Supervisors Ma, Mirkarimi

Ordinance adding Chapter 10H to the San Francisco Administrative Code authorizing the City to recover the costs of emergency response to incidents resulting from negligent operation of motor vehicles, boats or vessels by persons under the influence of alcohol or drugs, and the costs of emergency response to incidents caused by individuals' intentionally wrongful conduct; defining emergency response for the purpose of this chapter; providing for the establishment by ordinance of the standard, hourly charges for personnel and equipment used in emergency response to such incidents; and directing the Police Department, Fire Department and the Health Department to coordinate with designated City officials to prepare and deliver invoices to the persons responsible for the costs of the City's emergency response to such incidents.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050917 [Planning Department fee increases and permit surcharge to cover costs of appeals to the Board of Supervisors] — Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Sections 352 and 355 and by amending the San Francisco Administrative Code by amending Section 31.22 to increase planning fees and add a surcharge to compensate the City for the costs of appeals to the Board of Supervisors; making environmental findings.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051027 [Entertainment Commission Permits, Licenses and Fees] — Mayor

Ordinance (1) amending the San Francisco Police Code by amending Sections 2.2, 2.9, 2.25, 2.26, 2.27, 2.31, 43, 43.2, 48 1037.2, and adding Sections 1060.1-1 and 1070.1-1, to (i) increase the application fees for Place of Entertainment permits and permits for Extended Hours Premises, and the

annual license fees for Places of Entertainment and Mechanical Amusement Devices, to defray the City's annual costs of Entertainment Commission operations attributable to such permitted businesses, (ii) eliminate distinctions between commercial and non-commercial uses for purposes of loudspeaker permits (iii) and to make technical amendments and corrections, as specified; (2) amending the San Francisco Business and Tax Regulations Code by amending Sections 1.1, 1.2, 1.3, 1.51, 8, and 23, and adding Sections 249.17, 249.18, and 249.19, to make technical amendments and corrections in conformity with the amendments to the Police Code; and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the adjustments to the fees are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Entertainment Commission and Police Department, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to such entertainment-related permits and annual licenses.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051133 **[Repealing Revolving Fund for Commission on the Status of Women]** Mayor

Ordinance amending the Administrative Code by repealing section 10.169-11 to eliminate the Commission on the Status of Women's revolving fund.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051135 **[Requiring City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation** Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.19-5, to require City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051136 **[Establishing the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services]** — Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-290, to establish the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051137 **[Prohibiting the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County** — Mayor, Supervisor Daly

Ordinance amending the San Francisco Aministrative Code by adding Section 20.30, to prohibit the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County Adult Assistance Programs.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051138 **[Authorizing department heads to accept and expend donations from recognized non-profit organizations for specified improvements to City-owned recreation, library, cultural or health** — Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.88, to authorize department heads to accept and expend donations from recognized non-profit organizations to augment approved seismic upgrading, provide equipment, facility improvements or expansion and/or modification of City-owned recreation, library, cultural or health facilities.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051139 [Authorizing the Sheriff and Police Departments to implement a booking fee and seek State reimbursement; providing for cost recovery] — Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 8.27-1, to authorize the Sheriff and Police Departments to implement a booking fee and seek State reimbursement and to direct the Controller to provide for full cost recovery between the departments.

Continued to July 19, 2005

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051148 [Public Education Enrichment Fund] — Supervisors Ammiano, Mirkarimi

Resolution approving the San Francisco Unified School District and the First Five Commission's expenditure plans for the Public Education Enrichment Fund.

Continued to July 19, 2005

Supervisor Mirkarimi requested to be added as a co-sponsor.

Supervisor Ammiano, seconded by Supervisor Mirkarimi, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Government Audit and Oversight Committee

051030 [Single Standard of Mental Health Access and Care] — Supervisors Daly, Peskin, Mirkarimi

Ordinance adding Section 15.23 to the Administrative Code to provide for single standard of mental health services access and care for indigent and uninsured San Francisco residents and residents who are Medi-Cal beneficiaries.

(Fiscal impact.)

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Rules Committee

050918 [Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors] — Supervisor Elsbernd

Charter Amendment (Second Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

Continued to July 19, 2005

Supervisor Elsbernd, seconded by Supervisor Maxwell, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Land Use Committee

050830 [Zoning - Allow Tourist Hotels of 75 Rooms or Less in the SSO District as conditional uses] — Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sections 803.4 and 818, and adding Section 818.78 to Table 818 to allow a tourist hotel of 75 rooms or less as a conditional use in the SSO (Service/Secondary Office District); adopting findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050254 [Amending Planning Code Sec 703.3 to designate formula retail uses as a conditional use in the Small-Scale NCD along Divisadero from Haight to Turk Streets] — Supervisor Mirkarimi

Ordinance to amend the Planning Code by amending section 703.3 to designate formula retail uses as a conditional use in the Small-Scale Neighborhood Commercial District along Divisadero Street from Haight to Turk Streets and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

051031 [Requiring additional reporting and recordkeeping by residential hotels and authorizing additional inspections] — Supervisors Daly, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Section 41.9, to require additional reporting and recordkeeping by residential hotels and establishing additional inspection authority to ensure compliance with California Civil Code Section 1940.1.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050936 [Interdepartmental jurisdictional transfer of Hayes Green Park] — Mayor, Supervisor Mirkarimi

Resolution transferring jurisdiction over Hayes Green Park, located on Octavia Boulevard, between Hayes Street and Fell Street, from the Department of Public Works to the Recreation and Park Department for park and open space uses; adopting Findings pursuant to California Environmental Quality Act; and adopting Findings that the transfer of jurisdiction is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1.

Enacted Number: 521-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Land Use Committee Without Recommendation

051113 [Urging Support of the Permanent Berthing of the U.S.S. Iowa as a Museum at the Port of San Francisco] Supervisors Ma, Elsbernd, Alioto-Pier

Resolution urging the San Francisco Congressional delegation to support the permanent berthing of the U.S.S. Iowa as a Museum at the Port of San Francisco.

(Supervisor McGoldrick Dissenting in Committee)

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved to re-refer this matter to Committee.

Motion to refer this matter to Committee failed by the following vote:

Ayes: 5 - Alioto-Pier, Elsbernd, Ma, Maxwell, Sandoval,

Noes: 6 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi, Peskin

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to continue this matter to July 19, 2005.

Motion to continue this matter to July 19, 2005 failed by the following vote:

Ayes: 5 - Alioto-Pier, Elsbernd, Ma, Maxwell, Sandoval,

Noes: 6 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi, Peskin

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved to amend this matter.

Motion to amend this matter failed by the following vote:

Ayes: 5 - Alioto-Pier, Elsbernd, Ma, Maxwell, Sandoval,

Noes: 6 - Ammiano, Daly, Dufty, McGoldrick, Mirkarimi, Peskin

NOT ADOPTED by the following vote:

Ayes: 3 - Alioto-Pier, Elsbernd, Ma
Noes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

051277 [Hearing - Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance] — Supervisor Peskin

Hearing of persons interested in or objecting to proposed ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to: include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

The President of the Board declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

Supervisor McGoldrick Excused from Voting

Supervisor Mirkarimi, seconded by Supervisor Alioto-Pier, moved to excuse Supervisor McGoldrick from voting on this matter. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 1 - McGoldrick

050817 [Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance.] — Supervisors Peskin, Maxwell, Alioto-Pier, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to: include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information

from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed.

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Mirkarimi, Peskin
Absent: 3 - Ma, Maxwell, Sandoval
Excused: 1 - McGoldrick

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Alioto-Pier, Ammiano, Daly, Dufty, Mirkarimi, Peskin
Noes: 1 - Elsbernd
Absent: 3 - Ma, Maxwell, Sandoval
Excused: 1 - McGoldrick

SPECIAL ORDER 3:00 P.M

051230 **[Hearing - Ground Lease of Redevelopment Agency Land for Parkview Terraces Senior Housing (871-881 Turk Street)]** **Supervisor Peskin**

Hearing of persons interested in or objecting to proposed resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 761, Lot 29, commonly known as 871-881 Turk Street, southeast corner of Turk and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to PARKVIEW TERRACE PARTNERS, L.P., a California limited partnership, for 60 years for the purpose of developing housing for very low-income senior households. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Male Speaker. expressed concern that project be for low income seniors

Olsen Lee, Executive Director, Redevelopment Agency

The President of the Board declared the public hearing closed.

HEARD AT PUBLIC HEARING.

051164 [Ground Lease of Redevelopment Agency Land for Parkview Terraces Senior Housing (871-881 Turk Street)] Supervisors Daly, Mirkarimi

Resolution approving the Redevelopment Agency of the City and County of San Francisco's lease of land at Assessor's Block 761, Lot 29, commonly known as 871-881 Turk Street, southeast corner of Turk and Gough Streets, San Francisco, California (the "Site") in the Western Addition A-2 Redevelopment Project Area, to PARKVIEW TERRACE PARTNERS, L.P., a California limited partnership, for 60 years for the purpose of developing housing for very low-income senior households.

Enacted Number: 519-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Maxwell

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Alioto-Pier introduced and congratulated Deanne Fitzmaurice in recognition of winning of the Pulitizer Prize.

SPECIAL ORDER 4:00 P.M.

050956 [Public Hearing - Appeal of Categorical Exemption from Environmental Review for 1740 20th Street]

Hearing of persons interested in or objecting to the decision of the Planning

Department dated April 22, 2005 (Case No. 2003.0960E), exempting from environmental review under State CEQA Guidelines, Sections 15301(a), 15301(e)(2), and 4(b), Class Numbers 1(a), 1(e)(2), and 4(b). The proposed project includes a vertical L-shaped addition, and a horizontal addition to a single-family residence. The new addition would add 1,346-gross-square-feet to an existing 2,202-gsf, approximately 12-foot tall single-family residence. There is currently one off-street parking space on the project site. The proposed project would add one additional off-street parking space. The addition would be 23-feet tall at its highest point. The 5,000-square-foot project site is located at 1740 20th Street, northeast corner of 20th and Wisconsin Streets on Assessor's Block 4069, Lot 018. The project site is within an RH-2 (Residential, House, Two-Family) zoning district and a 40-X height and bulk district. (Appellant: Vincent Marsh on behalf of Bob Siska, property owner.)

(Filed May 20, 2005; companion measure to Files 050957, 050958, 050959; District 10.)

The President inquired as to whether or not any member of the public wished to address the Board.

Vincent Marsh, Representative for Appellant Bob Siska

Lisa Gibson and Larry Badiner, Planning Department representatives reviewed with the Board the Planning Department's recommendation.

David Cincotta, representing the Project sponsor, Susan Schindler

Susan Schindler, Project sponsor

Vincent Marsh, Appellant - Rebuttal Period

The President of the Board declared the public hearing closed.

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)

050957 **[Affirming the categorical exemption issued for 1740 20th Street]**

Motion affirming the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-95

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty,

Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050958 **[Disapproving the categorical exemption issued for 1740 20th Street]**

Motion disapproving the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050959 **[Preparation of findings related to the categorical exemption issued for 1740 20th Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 1740 20th Street Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-96

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 4:30 PM.

051053 **[Public Hearing - Appeal of Minor Sidewalk Encroachment Permit for 149 Fair Oaks Street]**

Hearing of persons interested in or objecting to the decision of the Department of Public Works by its decision dated May 25, 2005, denying a Minor Sidewalk Encroachment Permit No. O5MSE-261 for the construction of 15'-0" long x 3'-0" wide planter box and enclosure, leaving an 8'-8" clear pathway along the public sidewalk right-of-way fronting the property at 149 Fair Oaks Street. (Sherri Maurin.)

(Filed June 7, 2005; companion measure to Files 051063, 051063, District 8.)

The President inquired as to whether or not any member of the public wished to address the Board.

Sherri Maurin, Appellant

Nick Elsner, Department of Public Works representative reviewed with the Board DPW's recommendation.

The President of the Board declared the public hearing closed.

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)

051055 **[Affirming Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]**

Motion affirming the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and denying an Encroachment Permit. (Clerk of the Board)

Enacted Number: M05-97

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval
Noes: 3 - Daly, McGoldrick, Peskin

051054 **[Disapproving Minor Sidewalk Encroachment Appeal - 149 Fair Oaks Street]**

Motion disapproving the decision of the Department of Public Works' denial of an Encroachment Permit for 149 Fair Oaks Street and granting an Encroachment Permit. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval
Noes: 3 - Daly, McGoldrick, Peskin

COMMITTEE REPORTS

050932 **[Street Resurfacing, Pedestrian Safety and Access Improvement Bond Special Election]** **Supervisors Ammiano, Peskin**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on Tuesday, November 8, 2005, for

the purpose of submitting to the voters of the City a proposition to incur the following bonded debt of the City: Two Hundred and Eight Million Dollars ($208,000,000) to finance street reconstruction, pavement renovation, disabled access curb ramp construction, sidewalk and street improvements, street structure rehabilitation and improvements, pedestrian safety street and signal improvements, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated costs of such proposed projects are and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot questions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved an amendment of the whole.

Motion to amend this matter failed by the following vote:

Ayes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Noes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma

031567 **[Charter Amendment - Establishing an Emergency Health Care Services Fund and baseline funding for the Fund]** — **Supervisors Daly, Sandoval**

Charter Amendment (Fourth Draft) to add Section 16.126 to increase the fiscal authority of the Health Commission and establish a stable baseline funding level for the Department of Public Health to ensure the continued operation of San Francisco public health services.

Continued to July 19, 2005

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050492 [Charter Amendment - Authorizing Board of Supervisors to meet by teleconferencing during state of emergency; requiring Board to post various notices on its website and eliminating

Supervisors Ma, McGoldrick

Charter Amendment (Third Draft) to amend Section 2.103 to allow the Board of Supervisors to meet by teleconferencing or other electronic means during a state of emergency, and by amending Sections 2.103, 2.108, 2.117, 16.112, and Article XVII, to: (1) require that City departments, including the Board of Supervisors, to post various notices on the departments' websites and eliminate the requirement that the departments publish such notices in the City's official newspaper; and (2) assign individual section numbers to the definitions contained in Article XVII.

Continued to July 19, 2005

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050818 [Charter Amendment - Dividing appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors]

Supervisors Ammiano, Daly

Charter amendment (Third Draft) to amend Section 8A.102, to divide appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors.

Supervisor Alioto-Pier dissented in Committee.

Continued to July 19, 2005

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050925 [Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records

Supervisors Alioto-Pier, Elsbernd

Charter Amendment (Second Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

Continued to July 19, 2005

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050926 [Charter Amendment - Neighborhood Beautification Initiative]

Supervisor Alioto-Pier

Charter Amendment (Third Draft) to add Section 8A.114 to provide that the Board of Supervisors may create "Neighborhood Beautification Districts" by ordinance, require the operation of parking meters on Sundays in specified Neighborhood Beautification Districts, and require that all revenue raised from the Sunday operation and enforcement of parking meters in a Neighborhood Beautification District, less any operational costs for enforcement, be used for pedestrian, street, and neighborhood improvements related to traffic regulation, safety and control in that district.

(Fiscal impact.)

Continued to July 19, 2005

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050927 [Charter Amendment - Imposing term limits for members of City boards and commissions; limiting hold-over appointments]

Supervisors Peskin, Elsbernd

Charter Amendment (Third Draft) to add Section 4.101.5 to impose term limits for members of City boards and commissions and to limit hold-over appointments.

Continued to July 19, 2005

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050928 **[Charter Amendment - Ethics Commission Charter Amendment]** **Supervisor Mirkarimi**

Charter Amendment (Second Draft) to amend Section C3.699-14 to establish a budget process for the Ethics Commission and add Section C3.99.15 to authorize the hiring of outside counsel for specified conflicts.

(Fiscal impact.)

Continued to July 19, 2005

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050929 **[Charter Amendment - MTA budget to be accountable to Mayor and Board of Supervisors; shared jurisdiction; compliance with voter-approved ordinances; Controller to administer MTA quality** **Supervisor Sandoval**

Charter Amendment (Second Draft) to amend Sections 8A.102, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Municipal Transportation Agency shall be subject to regulation by the Board of Supervisors; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

Continued to July 19, 2005

Supervisor Alioto-Pier, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

Supervisor Ammiano, seconded by Supervisor Alioto-Pier, moved to change the starting time of the July 19, 2005 Board of Supervisors meeting from 2:00 pm. to 1:00 p.m.

Motion to change the starting time for the July 19, 2005 Board of Supervisors meeting from 2:00 p.m. to 1:00 p.m. carried without objection.

Supervisor Ammiano noted absent at 5:15 p.m.

Supervisor Alioto-Pier noted absent at 5:20 p.m.

PUBLIC COMMENT

James Chaffe; expressed concern with the Library budget

Tom McDonagh; showed interest with Laguan Honda Hospitol

Shauna, Safe Actions for San Francisco; expressed concern regarding medical marijuana issues

Male speaker; expressed concern relating to medical marijuana issues

Mr. Green; expressed concern over SF Police Officers actions during recent protest

Michael O'Connor, Small Business Commission; expressed concern regarding a Charter Amendment

Male speaker; expressed concern regarding no funding for horse trails in Golden Gate Park

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

051259 [Legislative Analyst Request - Rent Boards] Supervisor Sandoval

Motion requesting the Legislative Analyst to survey other major cities such as Berkeley to find out details about their Rent Boards or equivalent agencies. Among other issues, the report should detail who has appointing authority for board members and what the ratios between tenant and landlord representatives are on the boards.

APPROVED by the following vote:

Ayes: 8 - Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 3 - Alioto-Pier, Ammiano, McGoldrick

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051249 [Request Full Reimbursement by the State for Statewide Special Election] Supervisors Elsbernd, Ammiano, Dufty, Peskin

Resolution urging the State of California to fully reimburse all California counties for the associated costs of the special election in November 2005.

Supervisor Peskin requested to be added as a co-sponsor.

Enacted Number: 525-05

ADOPTED

051252 [Recognizing July 2005 as Recreation and Parks Month] Supervisor Ma

Resolution recognizing July 2005 as "Recreation and Parks Month" in the City and County of San Francisco.

Enacted Number: 526-05

ADOPTED

051253 [Recognizing the 8th Anniversary of the San Francisco Immigrant Rights Commission] Supervisors Ma, Dufty

Resolution recognizing the 8th anniversary of the San Francisco Immigrant Rights Commission.

Enacted Number: 527-05

ADOPTED

051261 [Zoning - Extension of Planning Commission Review Period] Supervisor Alioto-Pier

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Planning Code section 260 to increase the height exemption for elevator penthouses from 10 to 16 feet.

Enacted Number: 528-05

ADOPTED

051262 [Arts Task Force Recommendations] Supervisor Ammiano

Resolution adopting a policy that no action shall be taken to change the City's Hotel Tax allocation language regarding the process by which hotel tax revenues are distributed to City agencies that support and serve arts organizations and artists in San Francisco until the Arts Advisory Task Force has undertaken and completed the purposes and duties as set forth in Board of Supervisors resolution No. 781-04 and has submitted its final written recommendations to the Mayor and Board of Supervisors.

Enacted Number: 537-05

ADOPTED

051263 [Planning grant for the use of Prop 63, Mental Health Services Act, funding] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $207,487 from the California Department of Mental Health (CDMH) for community program planning as part of the Prop 63, Mental Health Services Act funding, and to enter into an agreement for the use of these funds; for the period of January 1, 2005, through September 30, 2005.

Enacted Number: 529-05

ADOPTED

051264 [Senate Bill 861 - Dangerous and vicious dogs] Supervisor Dufty

Resolution endorsing Senate Bill 861, introduced by Senator Jackie Speier, and urging the California State Legislature and the Governor of California to support this bill.

Enacted Number: 530-05

ADOPTED

051266 [Training grant to promote and advance cultural competency in Departmental programs] Supervisors Ma, Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $121,047 from The California Endowment for training to advance cultural competency, and to enter into an agreement for the use of these funds; for the period of April 1, 2005, to March 31, 2006.

Enacted Number: 531-05

ADOPTED

051267 [Organic Certified Goods] Mayor, Supervisors Ammiano, Mirkarimi

Resolution establishing City policy of maximizing purchase of Organic Certified materials when procuring necessary goods for the city.

Enacted Number: 532-05

ADOPTED

051268 [Fair Trade Certified Goods] Mayor, Supervisors Ammiano, Mirkarimi

Resolution establishing City policy of maximizing purchase of Fair Trade Certified materials when procuring necessary goods for the City.

Enacted Number: 533-05

ADOPTED

051217 [Final Map of 1001 Mariposa Street]

Motion approving Final Map of 1001 Mariposa Street, A Live/Work Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 4000, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,478; District 10.)

Enacted Number: M05-94

APPROVED

051251 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin,

McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-98

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

Severed From the Without Reference to Committee

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately.

051215 **[Urging State Legislators to Permit Person 16 Years of Age or Older to Vote in City or County Elections]** Supervisors Mirkarimi, McGoldrick, Ammiano, Daly

Resolution urging the California Legislature to pass a bill that will allow local choice legislation, for which any city or county could permit persons 16 years or older to vote in city or county elections.

Enacted Number: 538-05

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma
Absent: 1 - Ammiano

Supervisor Daly requested that this matter be severed so that it might be considered separately.

051221 [Community Benefit Districts] Supervisor Peskin

Resolution authorizing the Mayor to cast assessment ballots on behalf of the City and County of San Francisco as the owner of parcels of real property that are subject to assessment, except for parcels under the exclusive jurisdiction of the Port Commission or Municipal Transportation Agency, in the following proposed property and business improvement districts: Fisherman's Wharf Community Benefit District, North of Market/Tenderloin Community Benefit District, Noe Valley Community Benefit District and Castro/Upper Market Community Benefit District.

REFERRED to the City Operations and Neighborhood Services Committee.

Supervisor Ma requested that this matter be severed so that it might be considered separately.

051265 **[Urging the CPUC and the State Legislature to take steps to prevent the PG&E Company from engaging in competitive practices as the CCSF moves to implement Community Choice Aggregation]** Supervisor Sandoval

Resolution urging the California Public Utilities Commission and the State Legislature to take steps to prevent the Pacific Gas & Electric Company from engaging in competitive practices as the City and County of San Francisco moves to implement Community Choice Aggregation.

REFERRED to the Rules Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051285 [Report of Revenue Recovery for Damage to City Property] Supervisor Ma

Ordinance amending the San Francisco Administrative Code by adding Section 4.26 to require each department to report annually on the value of damage sustained to City real and personal property under its control and the amount of revenue recovered from those responsible for damaging the

property.

7/12/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/11/2005.

051286 **[Reenacting a Disadvantaged Business Enterprise Program]** **Supervisor Ma**

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

7/12/05, ASSIGNED to Board of Supervisors.

Resolutions

051221 **[Community Benefit Districts]** **Supervisor Peskin**

Resolution authorizing the Mayor to cast assessment ballots on behalf of the City and County of San Francisco as the owner of parcels of real property that are subject to assessment, except for parcels under the exclusive jurisdiction of the Port Commission or Municipal Transportation Agency, in the following proposed property and business improvement districts: Fisherman's Wharf Community Benefit District, North of Market/Tenderloin Community Benefit District, Noe Valley Community Benefit District and Castro/Upper Market Community Benefit District.

7/6/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 07/15/05 - Referred to Small Business Commission

7/12/05, REFERRED to City Operations and Neighborhood Services Committee.

051265 **[Urging the CPUC and the State Legislature to take steps to prevent the PG&E Company from engaging in competitive practices as the CCSF moves to implement Community Choice Aggregation]** **Supervisor Sandoval**

Resolution urging the California Public Utilities Commission and the State Legislature to take steps to prevent the Pacific Gas & Electric Company from engaging in competitive practices as the City and County of San Francisco moves to implement Community Choice Aggregation.

6/28/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/12/05, REFERRED to Rules Committee.

051284 **[Confirming the Appointment of Kimberly Brandon to the San Francisco Port Commission]** **Mayor**

Resolution confirming the appointment of Kimberly Brandon to the San Francisco Port Commission, term ending May 1, 2009.

7/12/05, RECEIVED AND ASSIGNED to Rules Committee.

051289 **[Accept-Expend Regional Grant - Department of the Environment]** Supervisor Maxwell

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $15,400.00 from Altamont Education Advisory Board to expand recycling and lunchroom composting programs at schools in San Francisco.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051290 **[Commending Julia Kavanagh]** Supervisor Maxwell

Resolution commending Julia Kavanagh for her dedication and exemplary service to the community and proclaiming July 13, 2005 as Julia Kavanagh Day in San Francisco.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051291 **[Promoting African-American Tourism]** Supervisor Maxwell

Resolution promoting African-American tourism into San Francisco and encourages tourism as a development tool for targeted neighborhoods.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051294 **[Fillmore and Grove "STOP" Intersection]** Supervisor Mirkarimi

Resolution designating Fillmore and Grove as a "STOP" intersection.

STOP SIGNS - ESTABLISH
Fillmore and Grove, stopping northbound and southbound Fillmore, making this intersection an All-Way STOP.

(7/11/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

7/12/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 07//26/05 - Parking and Traffic notified to post notices and ad placed the the 8/4/05 edition of the SF Chronicle.

051296 **[New grant from the California Department of Health Services, TB Control, for bioterrorism preparedness and regional civil detention of persistently non-adherent tuberculosis patients]** Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $995,759 from the California Department of Health Services, TB Control Unit (CDHSTB) for the bioterrorism preparedness and dual use project for regional civil detention of persistently non-adherent tuberculosis patients, and to enter into an agreement for the use of these funds; for the period of April 27, 2005, to January 1, 2013.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051297 [Accept-Expend Corporate Grant - Department of the Environment] Supervisor Ma

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $61,223.20 from Air Products and Chemicals, Incorporated (Inc.) for completion of site work for a hydrogen fueling station.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051298 [Accept-Expend Regional Grant - Department of the Environment] Supervisor Maxwell

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $20,000 from the Environmental Protection Agency for its Bayview Hunters Point Community Air Monitoring Project (Bay-CAMP) in San Francisco's Bayview Hunters Point community.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051299 [Redevelopment Agency - Public Records Policy, Control of New Off-Sale Liquor Establishments, Control of Formula Retail Uses] Supervisor Mirkarimi

Resolution urging the Redevelopment Agency to establish a public records policy based on the San Francisco Sunshine Ordinance, to take appropriate steps to control new off-sale liquor establishments along Fillmore Street, and to control formula retail uses in the Western Addition Redevelopment Project Area A-2.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051300 [Commending Le Video on their 25th Anniversary] Supervisors Mirkarimi, Elsbernd

Resolution commending Le Video on the occasion of their 25th anniversary of providing San Francisco with an unparalleled selection of the world's cinema.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051301 [Commending Nihonmachi Little Friends] Supervisor Mirkarimi

Resolution commending Nihonmachi Little Friends on the occasion of the unveiling of their 30th Anniversary Mural.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051302 [State Bar of California 78th Annual Meeting] Supervisor Sandoval

Resolution urging the State Bar of California to reconsider its decision to have Kenneth Starr as a featured speaker at its 78th Annual Meeting in San Diego.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051303 **[Recognizing the rededication of the Excelsior Branch of the San Francisco Public Library and commending the friends of the San Francisco Public Library for their commitment and efforts]** Supervisor Sandoval

Resolution recognizing the rededication of the Excelsior Branch of the San Francisco Public Library and commending the Friends of the San Francisco Public Library for their commitment and efforts.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051304 **[Apply for Regional/State Grant - Department of the Envrironment]** Mayor

Resolution authorizing the Department of the Environment to apply for grant funds in the amount of $726,400 from the Bay Air Quality Management District for the purpose of implementing programs to improve air quality.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051287 **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**

Hearing to consider the possible adoption of an Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

7/12/05, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on July 26, 2005, at 4:00 p.m.

051292 **[Transit Impact Development Fee]** Supervisor McGoldrick

Hearing to review the implementation of the Transit Impact Development Fee (TIDF) including: (1) its application to the types of development and geographic area subject to the fee, (2) the status of TIDF collections, (3) an assessment of the transit impact calculations, and (4) an update of the fee calculation and fee schedule.

7/12/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051293 **[Closed Session - Comcast tentative settlement and franchise extension with CCSF]** Supervisor McGoldrick

Request for a closed session hearing at the July 26, 2005 Board of Supervisors meeting regarding Comcast's negotiated tentative settlement and Comcast's extension of their franchise with the City and County of San Francisco.

7/12/05, ASSIGNED to Board of Supervisors. Scheduled for consideration July 26, 2005.

051295 **[2004-2005 Civil Grand Jury Continuity Report]** Supervisor Peskin

Hearing on the recently published 2004-2005 Civil Grand Jury report

regarding Continuity Report.

7/12/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Motions

051283 **[Needle Exchange Emergency]** **Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051288 **[Emergency Disadvantaged Business Enterprise Program - July 26, 2005, Committee of the Whole]** **Supervisor Ma**

Motion for the Board of Supervisors to convene as a committee of the whole on July 26, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051306 **[Restoring HIV/AIDS funding to the FY 03-04 spending level; authorizing the backfill of Ryan White CARE Act reductions for federal FY 06-07; requiring the development of an expenditure plan;** **Supervisor Daly**

Motion amending the motion to approve the budget to restore HIV/AIDS services funding to the FY 03-04 actual expenditure level by adding up to $6.2 million from any lawful source, authorizing the backfill of potential Ryan White CARE Act reductions in FY 06-07, requiring an expenditure plan; placing nine months on reserve.

(Fiscal impact.)

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

051220 **[Parking Fine Penalty Schedule]**

Ordinance amending San Francisco Traffic Code Section 132 to reference the correct California Vehicle Code subsection for covering a license plate. (Parking and Traffic Department)

6/27/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

051186 [STOP Intersections]

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Bocana Street, Wool Street and Powhattan Avenue, installing STOP signs at the Bocana Street, Wool Street and Powhattan Avenue approaches, making this a Three-Way STOP;
Peter Yorke Way and Post Street, stopping Peter Yorke Way at Post Street;
21st and Hampshire Streets, stopping 21st Street at Hampshire Street, making this intersection an All-Way STOP;
Boylston and Sweeny Streets, stopping Boylston Street at Sweeny Street, making this intersection an All-Way STOP;
Barneveld and Sweeny Streets, stopping Sweeny Street at Barneveld Street, making this intersection an All-Way STOP; and,
44th Avenue and Santiago Street, stopping 44th Avenue at Santiago Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

6/24/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

051188 [Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets.

STREET CLOSURE, 10 AM TO 10 PM, EVERYDAY - RESCIND
STREET CLOSURE, 10 AM TO 2 AM, EVERYDAY - ESTABLISH
Claude Lane, between Bush and Sutter Streets (Parking and Traffic Department)

(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

6/24/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

051190 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
26th Street, both sides, between Church and Dolores Streets (3800 Block).

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Kimball Street east side, south of Sacramento Street.

UNMETERED MOTORCYCLE PARKING - RESCIND
32nd Avenue, east side, from 215 feet north of Anza Street to 25 feet northerly (leaving 4 motorcycle parking spaces).

NO PARKING ANYTIME - ESTABLISH
Le Conte Circle, both sides, at Le Conte Avenue; and,
Stanyan Street, west side, within the intersection of Hayes Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
4th Street, east side, from 42 to 82 feet south of Market Street; and,
Paulding Street, south side, from the Arago Street intersection to 115 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Fulton Street, north side, between Funston and 10th Avenue (3400, 3500, 3600 blocks). (Parking and Traffic Department)

(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

6/24/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 06/27/05 - Parking and Traffic notified to post notices and ad place in the 07/2/05 edition of the SF Chronicle.

051191 **[Airport Food and Beverage Lease]**

Resolution approving the Terminal 1 Casual Dining & Bar Lease between WSE Group, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

6/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051218 **[Public Works Landmark Trees]**

Resolution approving designation of four (4) tree locations for Landmark Status because of their historical significance, aesthetic qualities, or contribution to the City's overall character.

6/24/05, RECEIVED AND ASSIGNED to Land Use Committee.

051219 **[Freeway Maintenance Agreement for Central Freeway Replacement Project]**

Resolution authorizing the City and County of San Francisco's Director of Public Works to execute a Freeway Maintenance Agreement with the State of California, acting by and through its Department of Transportation apportioning maintenance responsibilities for the Central Freeway Replacement Project. (Public Works Department)

6/24/05, RECEIVED AND ASSIGNED to Land Use Committee.

Requests Granted

From: Supervisor Daly

To: Director, San Francisco Public Utilities Commission

Requesting/Inquiring: Inquiring about PUC's watershed environmental policy. Requesting the PUC to account for the huge environmental impacts from City-owned parcels in Alameda County that are being used for rock quarries, composting, cattle grazing and agriculture (including gardening nurseries) and recreation (including the Sunol Golf Course). What will the PUC do to mitigate and eliminate the adverse environmental impacts from activities on these parcels?

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: To draft an ordinance transferring the City's Streetlight Management Program from the Public Utilities Commission to the Department of Public Works.

From: Supervisor Mirkarimi

To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting that the Recreation and Park Department clean the Mini-Park near 1111 Buchanan, and to give a report on the cleaning schedule of the park.

From: Supervisor Mirkarimi

To: Director, Recreation and Park Department

Requesting/Inquiring: Requesting that the Recreation and Park Department repair and report on a broken water pipe at the uphill portion of the center of the park just off Pierce Street entrance of Alamo Square Park.

From: Supervisor McGoldrick

To: City Attorney

Requesting/Inquiring: To prepare legislation that amends Section 3.20 and 3.21 of the Administrative Code to require the Capital Improvement Advisory Committee (CIAC) to review and report to the Board of Supervisors on a quarterly basis regarding all capital improvement projects and long-term financing proposals and to require the CIAC to submit to the Board of Supervisors its capital improvement projects proposals and recommendations at the same time that the CIAC submits such proposals and

In Memoriams

John Cailleau - Supervisors Dufty & Ammiano

Pat Durham - Supervisors Dufty & Ammiano

David Hart - Supervisor Daly

Lolita Lee Baclay - Supervisor Daly

Miriam Blaustein - Entire Board

Tess Ventresca - Entire Board

Deanne Bradford - Supervisors Mirkarimi & Maxwell

Justin Hardeman - Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:00 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 9, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic

devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
SEP - 2 2005
SAN FRANCISCO
PUBLIC LIBRARY

F
90
72
9/19/05

MEETING MINUTES

Tuesday, July 19, 2005
1:00 PM
Legislative Chamber - Second Floor
Rescheduled Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.*

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 1:06 p.m. On the call of the roll Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the June 21, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

CONSENT AGENDA

Recommendation of the Budget and Finance Subcommittee

050866 [Authorizing Agreement with J.P. Morgan Electronic Financial Services, Inc] Supervisor Ammiano

Resolution authorizing an agreement with J. P. Morgan Electronic Financial Services, Inc. to facilitate the use of state-issued Electronic Benefits Transfer cards at the Alemany Farmer's Market.

Enacted Number: 543-05

ADOPTED

Recommendation of the Government Audit and Oversight Committee

051030 [Single Standard of Mental Health Access and Care] Supervisors Daly, Peskin, Mirkarimi

Ordinance adding Section 15.23 to the Administrative Code to provide for single standard of mental health services access and care for indigent and uninsured San Francisco residents and residents who are Medi-Cal beneficiaries.

(Fiscal impact.)

Enacted Number: 194-05

FINALLY PASSED

Recommendations of the Land Use Committee

050830 [Zoning - Allow Tourist Hotels of 75 Rooms or Less in the SSO District as conditional uses] Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sections 803.4 and 818, and adding Section 818.78 to Table 818 to allow a tourist hotel of 75 rooms or less as a conditional use in the SSO (Service/Secondary Office District); adopting findings.

Enacted Number: 174-05

FINALLY PASSED

051031 [Requiring additional reporting and recordkeeping by residential hotels and authorizing additional inspections] Supervisors Daly, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Section 41.9, to require additional reporting and recordkeeping by residential hotels and establishing additional inspection authority to ensure compliance with California Civil Code Section 1940.1.

Enacted Number: 195-05

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

051305 [Adopting findings related to affirming the categorical exemption for 1740 20th Street]

Motion adopting findings affirming the determination by the Planning Department that the 1740 20th Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-99

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Budget and Finance Committee

050968 [Annual Budget, FY 2005-06]

Motion approving Annual Budget for the City and County of San Francisco for Fiscal Year 2005-2006. (Clerk of the Board)

(Supervisors Mirkarimi and McGoldrick Dissenting in Committee)

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051130 [Government Funding, Fiscal Year 2005-2006] Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

(Fiscal impact.) (Supervisor McGoldrick Dissenting in Committee) (Supervisor Mirkarimi Dissenting in Committee on the Annual Appropriation Ordinance for Selected Departments)

Supervisor Daly, seconded Mirkarimi, to amend by taking $739,250 from the General Fund reserve to DPH for pharmacy co-payment services for those individuals on general assistance.

Ayes: 6 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval

Noes: 5 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved an amendment of the whole. (See File for Details)

Motion amend passed without objection.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051131 [Public Employment, Fiscal Year 2005-2006] Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation

of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050995 **[Redevelopment Agency Budget and Bonds]** Mayor

Resolution approving the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 2005-2006; and approving the Issuance by the Agency of Bonds in an aggregate principal amount not to exceed $118,000,000 for the purpose of financing a portion of Redevelopment activities as described in such approved Budget for fiscal year 2005-2006.

(Fiscal impact.)

Enacted Number: 580-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050997 **[Treasure Island Development Authority Budget]** Mayor

Resolution approving the Budget of the Treasure Island Development Authority for fiscal year 2005-2006.

(Fiscal impact.)

Enacted Number: 579-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050983 **[Clarifying that the Bureau of Delinquent Revenue is authorized to add costs incurred in collecting money owed to the city to the original** Mayor

charge and to collect those costs from the debtor]

Ordinance amending Chapter 10, Article V of the San Francisco Administrative Code by amending Section 10.41-1 to authorize the Bureau of Delinquent Revenue Collection to collect costs incurred in collecting claims for money owed to the City, to add those costs to the original charge and to collect those costs from the debtor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050984 **[Increasing fees for certain services provided by the Medical Examiner]** Mayor

Ordinance making environmental findings, and amending San Francisco Administrative Code Section 8.14, to increase the fees for forensic non-medical examiner or outside county autopsy, disaster bags, removal of remains, and storage of remains.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050985 **[Patient Rates]** Mayor

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2005.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050986 **[Public Works Code occupancy assessment fees for various encroachments]** Mayor

Ordinance amending the Public Works Code to amend Section 723.2 to adopt a public right-of-way occupancy assessment fee for minor sidewalk encroachments, to amend Section 724.1 to modify the public right-of-way occupancy assessment fee for temporary street occupancy permits; and to add Section 786.7 to adopt a public right-of-way occupancy assessment fee for street encroachments; and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050987 [Golf Fees - Harding Park, Golden Gate Park, McLaren Park] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.12 to increase the fees at Harding Park and Fleming Golf Courses; amending Sec. 12.16 to increase the fees at Golden Gate Park Golf Course; amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and amending Sec. 12.33 to set a maximum fee for golf cart rentals.

Supervisor Daly moved to amend by deleting golf fee increases for San Francisco residents.

Motion to amend failed for lack of a second.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

050989 [Recreation and Park - Tiny Tots Fees] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.35 to standardize the Department's Tiny Tot/Child Development Program's curriculum and associated fee schedule.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050990 [Recreation and Park Department - Athletic Field Permit Fees for Adults] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.36 to increase the fees for use of the athletic fields by adults.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050991 [Recreation and Park - Aquatic Fees] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.34 establishing the fee structure for use of aquatic facilities and for related aquatic activities.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050992 [Lake Merced Fees - Boat Storage] Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding San Francisco Park Code Section 12.38 to establish boat storage fees.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050999 [Arts Commission Special Funds] Mayor

Ordinance amending Article XIII of the San Francisco Administrative Code by amending Sections 10.100-28, 10.100-30 and 10.100-34 to redesignate the Arts Commission Market Street Art Maintenance Fund and the Arts Commission Youth Arts Fund as sub-accounts of the Arts Commission Public Arts Fund.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051000 [Board of Appeals Surcharge] Mayor

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to add a Board of Appeals surcharge for tobacco retailer's permits issued pursuant to San Francisco Health Code Section 1009.53, (2) amending Section 10G.1 to adjust the surcharges for permits and annual license renewals issued pursuant to San Francisco Police Code Sections 2.26, 2.27 and 2.27.1, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the new Board of Appeals Surcharge and adjustments to existing Board of Appeals surcharges are not a "project" and that such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals pursuant to Charter Section 4.106.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050993 [Providing for waiver of fees and changing fees for Emergency Medical Services and making environmental findings] Mayor

Ordinance amending Article 3 of the Health Code by adding Section 120.1 to require the San Francisco Fire Department to waive fees for Emergency Medical Services upon a showing that all persons legally obligated to pay have insufficient income to pay the bill without undue hardship and the patient is not covered by insurance; and amending Section 128.1, to create a fee for providing service to a patient without transporting the patient, to increase the base rate fees for both Basic Life Service and Advanced Life Service, to increase the fee for mileage, to eliminate the fee for night service, to substitute a flat fee for supplemental supplies in place of fees for individual supplies used to treat each patient, to amend the language regarding changes in fees in subsequent years to fix typographical errors, to eliminate the provision by which the San Francisco Fire Department could add charges for additional supplies, and to make environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050994 [Increasing Fire Department Fees For Service] Mayor

Ordinance amending Sections 106.8, 106.9, 106.11, 106.15, 106. 17, and Table 106B of the San Francisco Fire Code to increase the San Francisco Fire Department's fees for high rise inspection, plan review, pre-application plan review, overtime, and water flow requests, to become operative on its effective date or on July 1, 2005 whichever is later, and making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051001 [Making Environmental Findings and Establishing the Community Courts Program and Administrative Fee] Mayor

Ordinance making required environmental findings; amending section 10.100-95 of the Administrative Code to provide that monies collected from participants in the Community Court Program to settle disputes or dismiss charges be deposited in the Mayor's Community Support Fund and make

other technical amendments; amending section 10.100-295 of the Administrative Code to designate the Mayor's Office of Criminal Justice as administrator of the Dispute Resolution Program and Fund and to designate the Mayor's Office of Criminal Justice and the District Attorney's Office as administrators of the Community Courts Program; and to add section 10.183 to the Administrative Code to establish and authorize the District Attorney to collect a Community Court Program Administrative Fee to recover the City's costs for the District Attorney to participate in the operation of the Community Courts Program.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051002 **[Establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections]** — Mayor

Ordinance making environmental findings and amending the San Francisco Administrative Code by adding a new section 2A.22.1 establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051003 **[Repeal of exemption from paying tow and storage fees on stolen vehicles, and waiver of an administrative fee for recovered stolen vehicles owned by residents]** — Mayor

Ordinance repealing San Francisco Administrative Code Section 10C.8-1, which exempts residents of San Francisco from paying tow and storage fees on stolen vehicles, and amending San Francisco Administrative Code Section 10C.1 and San Francisco Traffic Code Section 170.1 to exempt City residents from payment of an administrative fee in connection with the towing and storage of stolen vehicles.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Daly, Ma

051004 **[Recovery of the City's costs of emergency response to incidents resulting from the negligent operation of a motor vehicle, boat or vessel by a person under the influence of** — Mayor, Supervisors Ma, Mirkarimi

alcohol or

Ordinance adding Chapter 10H to the San Francisco Administrative Code authorizing the City to recover the costs of emergency response to incidents resulting from negligent operation of motor vehicles, boats or vessels by persons under the influence of alcohol or drugs, and the costs of emergency response to incidents caused by individuals' intentionally wrongful conduct; defining emergency response for the purpose of this chapter; providing for the establishment by ordinance of the standard, hourly charges for personnel and equipment used in emergency response to such incidents; and directing the Police Department, Fire Department and the Health Department to coordinate with designated City officials to prepare and deliver invoices to the persons responsible for the costs of the City's emergency response to such incidents.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050917 **[Planning Department fee increases and permit surcharge to cover costs of appeals to the Board of Supervisors]** Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Sections 352 and 355 and by amending the San Francisco Administrative Code by amending Section 31.22 to increase planning fees and add a surcharge to compensate the City for the costs of appeals to the Board of Supervisors; making environmental findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051027 **[Entertainment Commission Permits, Licenses and Fees]** Mayor

Ordinance (1) amending the San Francisco Police Code by amending Sections 2.2, 2.9, 2.25, 2.26, 2.27, 2.31, 43, 43.2, 48 1037.2, and adding Sections 1060.1-1 and 1070.1-1, to (i) increase the application fees for Place of Entertainment permits and permits for Extended Hours Premises, and the annual license fees for Places of Entertainment and Mechanical Amusement Devices, to defray the City's annual costs of Entertainment Commission operations attributable to such permitted businesses, (ii) eliminate distinctions between commercial and non-commercial uses for purposes of loudspeaker permits (iii) and to make technical amendments and corrections, as specified; (2) amending the San Francisco Business and Tax Regulations Code by amending Sections 1.1, 1.2, 1.3, 1.51, 8, and 23, and adding Sections 249.17, 249.18, and 249.19, to make technical amendments and corrections in conformity with the amendments to the Police Code; and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the adjustments to the

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051137 [Prohibiting the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County

Mayor, Supervisor Daly

Ordinance amending the San Francisco Aministrative Code by adding Section 20.30, to prohibit the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County Adult Assistance Programs.

Supervisor Daly requested to be added as a co-sponsor.

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Ordinance amending the San Francisco Aministrative Code by adding Section 20.30, to prohibit the Department of Human Services from requiring Biometric imaging of clients, unless required by grant programs, by state or federal law, or expressly authorized by vote initiative.

Amended by replacing "fingerprinting" with "biometric" and replacing "require" with "expressly authorized."New Title.

Motion to amend carried by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval,

Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

Absent: 1- McGoldrick

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051138 [Authorizing department heads to accept and expend donations from recognized non-profit organizations for specified improvements to City-owned recreation, library, cultural or health

Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.88, to authorize department heads to accept and expend

donations from recognized non-profit organizations to augment approved seismic upgrading, provide equipment, facility improvements or expansion and/or modification of City-owned recreation, library, cultural or health facilities.

Supervisor Mirkarimi, seconded by Supervisor Ammiano, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma

051139 **[Authorizing the Sheriff and Police Departments to implement a booking fee and seek State reimbursement; providing for cost recovery]** — Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 8.27-1, to authorize the Sheriff and Police Departments to implement a booking fee and seek State reimbursement and to direct the Controller to provide for full cost recovery between the departments.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051148 **[Public Education Enrichment Fund]** — Supervisors Ammiano, Mirkarimi

Resolution approving the San Francisco Unified School District and the First Five Commission's expenditure plans for the Public Education Enrichment Fund.

Enacted Number: 551-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Subcommittee Without Recommendation

050932 **[Street Resurfacing, Pedestrian Safety and Access Improvement Bond Special Election]** — Supervisors Ammiano, Peskin

Ordinance calling and providing for a special election to be held in the City and County of San Francisco (the "City") on Tuesday, November 8, 2005, for

the purpose of submitting to the voters of the City a proposition to incur the following bonded debt of the City: Two Hundred and Eight Million Dollars ($208,000,000) to finance street reconstruction, pavement renovation, disabled access curb ramp construction, sidewalk and street improvements, street structure rehabilitation and improvements, pedestrian safety street and signal improvements, street improvements for bicycle use and all other structures and improvements necessary or convenient for the foregoing purposes; finding that the estimated costs of such proposed projects are and will be too great to be paid out of the ordinary annual income and revenue of the City and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot questions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code.

(Fiscal impact.)

Enacted Number: 170-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Maxwell

Recommendation of the Land Use Committee

050254 **[Amending Planning Code Sec 703.3 to designate formula retail uses as a conditional use in the Small-Scale NCD along Divisadero from Haight to Turk Streets]** Supervisor Mirkarimi

Ordinance to amend the Planning Code by amending section 703.3 to designate formula retail uses as a conditional use in the Small-Scale Neighborhood Commercial District along Divisadero Street from Haight to Turk Streets and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

Enacted Number: 173-05

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, McGoldrick

Recommendations of the Rules Committee

050818 **[Charter Amendment - Dividing appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors]** — **Supervisors Ammiano, Daly**

Charter amendment (Third Draft) to amend Section 8A.102, to divide appointments to the Municipal Transportation Agency's Board of Directors between the Mayor and the Board of Supervisors.

Supervisor Alioto-Pier dissented in Committee.

Supervisor Daly requested to be added as a co-sponsor.

ORDERED SUBMITTED by the following vote:

Ayes: 7 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 4 - Alioto-Pier, Dufty, Elsbernd, Ma

050918 **[Charter Amendment - Requiring that one-time revenues be spent only for one-time uses, unless otherwise authorized by the Board of Supervisors]** — **Supervisor Elsbernd**

Charter Amendment (Second Draft) to add Section 9.120 to require that one-time revenues be spent only for one-time uses, unless the Board of Supervisors appropriates the revenues for another purpose by a two-thirds' vote.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 5 - Alioto-Pier, Dufty, Elsbernd, Ma, Peskin
Noes: 6 - Ammiano, Daly, Maxwell, McGoldrick, Mirkarimi, Sandoval

Appointment of President Pro Tempore

At the request of the President, Supervisor Ma assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

050927 **[Charter Amendment - Imposing term limits for members of City boards and commissions; limiting hold-over appointments]** — **Supervisors Peskin, Elsbernd**

Charter Amendment (Third Draft) to add Section 4.101.5 to impose term limits for members of City boards and commissions and to limit hold-over appointments.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to amend by deleting "Sections "(b)" and "(d)".

Motion to amend failed by the following vote:

Ayes: 4 - Ammiano, Dufty, Maxwell, McGoldrick

Noes: 7 - Alioto-Pier, Daly, Elsbernd, Ma, Mirkarimi, Peskin, Sandoval

Supervisor Elsbernd requested to be added as a co-sponsor.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 5 - Alioto-Pier, Daly, Elsbernd, Mirkarimi, Peskin
Noes: 6 - Ammiano, Dufty, Ma, Maxwell, McGoldrick, Sandoval

050928 **[Charter Amendment - Ethics Commission Charter Amendment]** — **Supervisor Mirkarimi**

Charter Amendment (Second Draft) to amend Section C3.699-14 to establish a budget process for the Ethics Commission and add Section C3.99.15 to authorize the hiring of outside counsel for specified conflicts.

(Fiscal impact.)

ORDERED SUBMITTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

050925 **[Charter Amendment - Minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records** — **Supervisors Alioto-Pier, Elsbernd**

Charter Amendment (Second Draft) to add Section 15.104 to create minimum qualifications for members of City bodies that oversee and administer election, campaign finance, lobbying, conflict of interest, open meeting and public records laws.

NOT ORDERED SUBMITTED by the following vote:

Ayes: 5 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell
Noes: 6 - Ammiano, Daly, McGoldrick, Mirkarimi, Peskin, Sandoval

050926 [Charter Amendment - Neighborhood Beautification Initiative] — Supervisor Alioto-Pier

Charter Amendment (Third Draft) to add Section 8A.114 to provide that the Board of Supervisors may create "Neighborhood Beautification Districts" by ordinance, require the operation of parking meters on Sundays in specified Neighborhood Beautification Districts, and require that all revenue raised from the Sunday operation and enforcement of parking meters in a Neighborhood Beautification District, less any operational costs for enforcement, be used for pedestrian, street, and neighborhood improvements related to traffic regulation, safety and control in that district.

(Fiscal impact.)

Supervisor Alioto-Pier, seconded by Supervisor McGoldrick, moved that this Charter Amendment be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

031567 [Charter Amendment - Establishing an Emergency Health Care Services Fund and baseline funding for the Fund] — Supervisors Daly, Sandoval

Charter Amendment (Fourth Draft) to add Section 16.126 to increase the fiscal authority of the Health Commission and establish a stable baseline funding level for the Department of Public Health to ensure the continued operation of San Francisco public health services.

Continued to July 26, 2005

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

050929 [Charter Amendment - MTA budget to be — Supervisor Sandoval

accountable to Mayor and Board of Supervisors; shared jurisdiction; compliance with voter-approved ordinances; Controller to administer MTA quality

Charter Amendment (Second Draft) to amend Sections 8A.102, 8A.106, and 8A.107, to provide that: the Municipal Transportation Agency's budget shall be subject to the City's normal budget process; the Municipal Transportation Agency shall be subject to regulation by the Board of Supervisors; the Municipal Transportation Agency must comply with voter-approved ordinances; and, the Controller, rather than the Agency, shall administer the biennial municipal transportation quality review survey and study.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Charter Amendment be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Rules Committee and the Committee of the Whole

050817 [Designating rent credits as "public monies" for purposes of Fiscal Feasibility Ordinance.] — Supervisors Peskin, Maxwell, Alioto-Pier, Mirkarimi

Ordinance amending the San Francisco Administrative Code by amending Sections 29.1, 29.3, and 29.7, to: include rent credits as "public monies" for purposes of the Fiscal Feasibility Ordinance; require additional information from applicants for environmental review; suspend application to certain projects undergoing environmental review, and, bar City departments from extending current Exclusive Right to Negotiate agreements until fiscal feasibility review has been successfully completed.

Supervisor McGoldrick was previously excused from voting on this matter.

Enacted Number: 172-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - McGoldrick

NEW BUSINESS

From the Budget and Finance Committee Without Recommendation

051134 [Plan to spend additional funds from Human Services Care Fund] — Mayor

Resolution submitting plan from the Human Services Agency explaining how it intends to spend revenues received by the Human Services Care Fund in excess of $11.9 million authorized by the Fund.

Enacted Number: 550-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Government Audit and Oversight Committee

051045 [Appropriate proceeds from the sale of bonds and the Water Enterprise's Fund Balance to fund the SFPUC Water System Improvement Program for fiscal year 2005-06 and the first six-months of] — Mayor

Ordinance appropriating $153,981,000 for project activities and $6,789,188 for program management services of bond sales proceeds, and $1,000,000 of the Water Enterprise's Fund Balance totaling $161,770,188 to fund the San Francisco Public Utilities Commission's (SFPUC) Water System Improvement Program for fiscal year 2005-06 and the first six-months of fiscal year 2006-07.

(Fiscal impact.) Supervisor Daly dissented in committee.

Supervisor Mirkarimi, seconded by Supervisor Elsbernd, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

050973 [Professional services agreement to provide geotechnical and tunnel engineering services]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a professional services agreement with Jacobs Associates for an amount not to exceed $14,800,000 to provide geotechnical and tunnel engineering services for the Bay Division Pipelines Reliability Upgrade Project. (Public Utilities Commission)

(Fiscal impact.) Supervisor Daly dissented in committee.

Enacted Number: 535-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

050974 [Program/Project/Pre-Construction Management Services for the Water System Improvement Program]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to award and execute a professional services agreement with Parsons Water and Infrastructure Inc. (as guaranteed by Parsons Corporation) for an amount not to exceed $38,000,000 to provide Program/Project/Pre-Construction Management Services for the San Francisco Water System Improvement Program. (Public Utilities Commission)

(Fiscal impact.) Supervisor Daly dissented in committee.

Enacted Number: 536-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

050973 **[Professional services agreement to provide geotechnical and tunnel engineering services]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute a professional services agreement with Jacobs Associates for an amount not to exceed $14,800,000 to provide geotechnical and tunnel engineering services for the Bay Division Pipelines Reliability Upgrade Project. (Public Utilities Commission)

(Fiscal impact.) Supervisor Daly dissented in committee.

Enacted Number: 535-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

050974 **[Program/Project/Pre-Construction Management Services for the Water System Improvement Program]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to award and execute a professional services agreement with Parsons Water and Infrastructure Inc. (as guaranteed by Parsons Corporation) for an amount not to exceed $38,000,000 to provide Program/Project/Pre-Construction Management Services for the San Francisco Water System Improvement Program. (Public Utilities Commission)

(Fiscal impact.) Supervisor Daly dissented in committee.

Enacted Number: 536-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

It was decided to to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to members of the University of Mondragon.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Nunzio Alioto.

SPECIAL ORDER 4:00 P.M.

050086 [Public Hearing - 22nd Street Vacation between Arkansas and Connecticut Streets]

Hearing of persons interested in or objecting to the proposed ordinance ordering the vacation of the 22nd Street right-of-way between Arkansas and Connecticut Streets subject to reservations of certain utility easements in the vacated area; authorizing the sale of a portion of the vacated street area pursuant to the terms of an agreement for sale of real estate; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this ordinance. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Steve Leginetto, Department of Real Estate

Mr. Lanza; Project sponsor

Dierk Heinz; support of street vacation

Ann DuFrank; support of street vacation

Tony Kelly; support of street vacation

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Recommendation of the Land Use Committee

Supervisor Alioto-Pier was noted absent at 4:35 p.m.

050085 **[Ordering vacation of 22nd Street between Arkansas and Connecticut Streets]**

Ordinance ordering the vacation of the 22nd Street right-of-way between Arkansas and Connecticut Streets subject to reservations of certain utility easements in the vacated area; authorizing the sale of a portion of the vacated street area pursuant to the terms of an agreement for sale of real estate; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this ordinance. (Real Estate Department)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Absent: 1 - Alioto-Pier

SPECIAL ORDER 4:30 P.M.

051226 **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 800 Brotherhood Way]**

Hearing of persons interested in or objecting to the decision of the Planning Department, certified on May 19, 2005, approving a Final Mitigated Negative Declaration (Case No. 2003.0536E), for the proposed construction of up to 182 dwelling units on an approximately 7.7 acre undeveloped site located on the north side of Brotherhood Way, west of Chumasero Drive, east of Lake Merced Boulevard. The project would involve subdividing the site into about 121 lots and constructing 60 single-family homes and 61 2-unit dwellings. The 121 buildings would be between 3 and 4 stories tall, with heights up to 40 feet, and would total about 444,273 gross square feet. A mix of independently accessible and tandem parking spaces would be provided, for a total of 364 off-street parking spaces. Twenty-one on-street parking spaces would also be created along a new two-way internal private loop road. Access to the site would be via a new driveway on the unimproved portion of the north side of Brotherhood Way abutting the site. There would be a traffic signal at the new access driveway and Brotherhood Way intersection that would be interconnected with the existing signals at Brotherhood Way/School (Church) Access Road, located about 330 feet to the west, and the Chumasero Drive/Brotherhood Way intersection, about 560 feet to the east. The project site is located in an RM-1 (Mixed Residential, Low Density) District and a 40-X Height and Bulk District. The proposed project would require approval of a Conditional Use Authorization for a Planned Unit Development and exceptions for minimum lot sizes, minimum rear yards depths, and bay window dimension. (Appellants: June 17, 2005, filed by Julian P. Lagos on behalf of ParkMerced Residents Association; June 20, 2005, filed by Adena Rosmarin on behalf of Lakeshore Acres Improvement Club.)

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 800 Brotherhood Way. (Clerk of the Board)

Continued to August 16, 2005

Supervisor Elsbernd, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Alioto-Pier

COMMITTEE REPORTS

051196 **[Service Agreement and Property Use License for Towing, Storage and Disposal of Abandoned and Illegally Parked Vehicles]** — **Supervisors Peskin, Elsbernd**

Resolution approving the service agreement and property use license for towing, storage, and disposal of abandoned and illegally parked vehicles by and between the City and County of San Francisco and TEGSCO, LLC, d.b.a. San Francisco AutoReturn.

Enacted Number: 556-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051221 **[Community Benefit Districts]** — **Supervisor Peskin**

Resolution authorizing the Mayor to cast assessment ballots on behalf of the City and County of San Francisco as the owner of parcels of real property that are subject to assessment, except for parcels under the exclusive jurisdiction of the Port Commission or Municipal Transportation Agency, in the following proposed property and business improvement districts: Fisherman's Wharf Community Benefit District, North of Market/Tenderloin Community Benefit District, Noe Valley Community Benefit District and Castro/Upper Market Community Benefit District.

Enacted Number: 520-05

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Ammiano, Daly, Mirkarimi

051056 **[STOP Intersections]** — **Supervisors Elsbernd,**

Mirkarimi

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Haight and Shrader Street, stopping Haight Street at Shrader Street, making this an All-Way STOP;
Gladstone Drive at Maynard Street, stopping Gladstone Drive at Maynard Street;
Christopher and Warren Drives, stopping Christopher Drive approaching Warren Drive, the stem of this T-intersection;
Bryant and Ritch Streets, stopping Ritch Street at Bryant Street, the stem of this T-intersection;
Bryant and Zoe Streets, stopping Zoe Street at Bryant Street, the stem of this T-intersection;
16th Avenue at Moraga Streets, stopping southbound 16th Avenue at Moraga Street, making this T-intersection an All-Way STOP;
San Aleso Avenue at Darien Way, making this 2-Way STOP-controlled intersection an All-Way STOP;
San Aleso Avenue at Upland Drive, stopping the southbound direction of San Aleso Avenue; and,
Manor Drive at Upland Drive, stopping Manor Drive at Upland Drive, making this uncontrolled intersection a 2-Way STOP. (Parking and Traffic Department)

(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

Supervisor Mirkarimi requested to be added as a co-sponsor.

Enacted Number: 546-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Ma provided the Board an update on ABAG on which she represents the Board of Supervisors.

PUBLIC COMMENT

William Vitale; expressed concern regarding the loss of residence custodians

ADOPTED

051290 [Commending Julia Kavanagh] Supervisor Maxwell

Resolution commending Julia Kavanagh for her dedication and exemplary service to the community and proclaiming July 13, 2005 as Julia Kavanagh Day in San Francisco.

Enacted Number: 559-05

ADOPTED

051291 [Promoting African-American Tourism] Supervisor Maxwell

Resolution promoting African-American tourism into San Francisco and encourages tourism as a development tool for targeted neighborhoods.

Enacted Number: 560-05

ADOPTED

051296 [New grant from the California Department of Health Services, TB Control, for bioterrorism preparedness and regional civil detention of persistently non-adherent tuberculosis patients] Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $995,759 from the California Department of Health Services, TB Control Unit (CDHSTB) for the bioterrorism preparedness and dual use project for regional civil detention of persistently non-adherent tuberculosis patients, and to enter into an agreement for the use of these funds; for the period of April 27, 2005, to January 1, 2013.

Enacted Number: 534-05

ADOPTED

051298 [Accept-Expend Regional Grant - Department of the Environment] Supervisor Maxwell

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $20,000 from the Environmental Protection Agency for its Bayview Hunters Point Community Air Monitoring Project (Bay-CAMP) in San Francisco's Bayview Hunters Point community.

Enacted Number: 561-05

ADOPTED

Enacted Number: 567-05
ADOPTED

051283 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-100
APPROVED

051288 [Emergency Disadvantaged Business Enterprise Program - July 26, 2005, Committee of the Whole] Supervisor Ma

Motion for the Board of Supervisors to convene as a committee of the whole on July 26, 2005, at 4:00 p.m. to accept public testimony concerning the possible adoption of an emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Enacted Number: M05-101
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Reference Committee Agenda

Supervisor Daly requested that this matter be severed so that it might be considered separately.

051306 [Restoring HIV/AIDS funding to the FY 03-04 Supervisor Daly

spending level; authorizing the backfill of Ryan White CARE Act reductions for federal FY 06-07; requiring the development of an expenditure plan;

Motion amending the motion to approve the budget to restore HIV/AIDS services funding to the FY 03-04 actual expenditure level by adding up to $6.2 million from any lawful source, authorizing the backfill of potential Ryan White CARE Act reductions in FY 06-07, requiring an expenditure plan; placing nine months on reserve.

(Fiscal impact.)

TABLED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Daly requested that this matter be severed so that it might be considered separately.

051297 **[Accept-Expend Corporate Grant - Department of the Environment]** **Supervisor Ma**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $61,223.20 from Air Products and Chemicals, Incorporated (Inc.) for completion of site work for a hydrogen fueling station.

Supervisor Daly requested that this matter be referred to Committee.

REFERRED to the Budget and Finance Committee.

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

051299 **[Redevelopment Agency - Public Records Policy, Control of New Off-Sale Liquor Establishments, Control of Formula Retail Uses]** **Supervisor Mirkarimi**

Resolution urging the Redevelopment Agency to establish a public records policy based on the San Francisco Sunshine Ordinance, to take appropriate steps to control new off-sale liquor establishments along Fillmore Street, and to control formula retail uses in the Western Addition Redevelopment Project Area A-2.

Amended on page 1, line 18, after "Agency" by adding "to work with the Sunshine Ordinance Task Force".

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this

Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinance

051333 [Tourist Hotel Conversion] — Supervisors Peskin, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval

Ordinance amending the San Francisco Administrative Code to add Chapter 41F to prohibit the conversion of existing tourist hotel structures with 50 or more tourist guest rooms to condominium projects or dwelling units; and adopting findings, including environmental findings.

7/19/05, RECEIVED AND ASSIGNED to Land Use Committee.

Resolutions

051297 [Accept-Expend Corporate Grant - Department of the Environment] — Supervisor Ma

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $61,223.20 from Air Products and Chemicals, Incorporated (Inc.) for completion of site work for a hydrogen fueling station.

7/12/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/19/05, REFERRED to Budget and Finance Committee. Supervisor Daly requested that this matter be referred to Committee.

051332 [Accept-Expend Gift - Department of Public Works] — Supervisor Maxwell

Resolution authorizing the Department of Public Works to accept a gift in the amount of up to $250,000 from the San Francisco Parks Trust for the construction of a children's playground on the Sunnydale Housing Project.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051335 [Charlotte Mailliard Shultz Staircase Renaming] — Supervisors Peskin, Dufty, Elsbernd

Resolution renaming the Grand Staircase of San Francisco City Hall's rotunda as the Charlotte Mailliard Shultz Staircase.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051336 [Street Improvements on 25th Avenue] — Supervisor McGoldrick

Resolution requesting that the Municipal Transportation Agency and Department of Public Works, work with the 25th Avenue Neighborhood Association to address, improve, and enhance conditions on 25th Avenue, and to expend funds as feasible and necessary to meet those ends.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051337 [Alternative Family Services Day] — Supervisors Ammiano, Dufty

Resolution recognizing the outstanding contributions of Alternative Family Services, its foster parents, and staff proclaiming Wednesday, the 27th of July, 2005 in the City and County of San Francisco.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051338 [Dykes on Bikes Trademark] — Supervisors Ammiano, Dufty, Sandoval, Mirkarimi

Resolution urging that the U.S. Patent and Trademark Office accept the San Francisco Women's Motorcycle Contingent's application to trademark the name, "Dykes on Bikes", for the group to use for educational and entertainment purposes such as parades, festivals, and other occasions celebrating the liberation of gay and lesbian people from historical discrimination.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051339 [Commending Libby Albert] — Supervisor Dufty

Resolution commending Libby Albert for her work with the After School Enrichment Program (ASEP), and wishing her continued success with the Department of Children, Youth, and Their Families (DCYF).

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051340 [Honoring Patricia Toomey] Supervisor Ma

Resolution honoring Patricia Toomey for her lifelong work and commitment to her native city of San Francisco.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051341 [Supporting Senate Bill 600 - Healthy Californians Biomonitoring Program] Supervisor Ma

Resolution urging the support of Senate Bill 600, the Healthy Californians Biomonitoring Program.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051342 [Supporting AB 378 (Chu) - Hate Crime Civil Remedies Act] Supervisor Ma

Resolution urging California Governor Arnold Schwarzenegger to sign AB 378 (Chu), the Hate Crime Civil Remedies Act into law.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051343 [Endorsing recommendations of the Strategic Alliance] Supervisor Maxwell

Resolution endorsing the Recommendations of the Strategic Alliance: "Taking Action for a Healthier California".

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051344 [Accept-Expend State Grant - Port Commission] Supervisor Maxwell

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $132,600 from the California Coastal Conservancy for the Pier 94 Wetlands Enhancement Project.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051345 [Zoning - Extension of Planning Commission Review Period] Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

7/17/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051346 [Urging support for Preservation and Restoration of Sacred Heart Church] Supervisors Mirkarimi, Daly

Resolution urging the Department of Building Inspection and the San

Francisco Archdiocese to diligently monitor the status and condition of the historic Sacred Heart Church and expressing support for preserving this historical treasure through all means possible.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051347 **[Recognizing the importance of the African Diaspora in Latin America and North and South America]** — **Supervisor Sandoval**

Resolution recognizing the importance of the African Diaspora in Latin America as well as North and South America.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051348 **[Commending Friar Louie Vitale]** — **Supervisors Sandoval, Mirkarimi**

Resolution commending Friar Louie Vitale for his many years of dedicated service as Pastor of St. Boniface Church.

7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

051334 **[Board of Supervisors/Clerk of the Board Proof of Concept (Telecommuting Pilot Project)]** — **Supervisor Dufty**

Hearing to consider a report by the Clerk of the Board, Sun Microsystems, and SBC project team regarding the implementation and outcome of the BOS/COB Proof of Concept Project (telecommuting pilot).

7/19/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Supervisor Dufty requests this item be calendared at the 8/1/05 meeting.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

051239 **[Lease of Real Property at One South Van Ness Avenue]**

Resolution authorizing the exercise of an option to lease 66,351 square feet of space on the fifth floor at One South Van Ness Avenue for the Mayor's Office of Housing and the Mayor's Office of Community Development and authorizing a 39,644 square foot sublease of such area to the San Francisco Redevelopment Agency. (Real Estate Department)

7/11/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051256 [Sale of Surplus Property located at Manzano Way at Oak Creek Way in the City of Sunnyvale, Santa Clara County]

Resolution approving the public auction sale of unimproved surplus real property located on Manzano Way at Oak Creek Way in the City of Sunnyvale, Santa Clara County for a purchase price of $690,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

7/8/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Planning Department

Requesting/Inquiring: Requesting the Planning Department to report on the two illegal billboards recently erected at the AA Market at 667 Broderick Street.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to confirm that the rough road surface on Linden Street between Octavia and Laguna will be repaved and that Linden Street will be reopened within eight business days.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of cleaning the sidewalks from Fulton and Golden Gate to Laguna and Webster.

From: Supervisor Mirkarimi

To: Director, MUNI

Requesting/Inquiring: Requesting that MUNI report on the status of repairing the pavement on the 200 block of Parnassus Avenue after the new MUNI poles were installed in the spring.

Cc: Laurie O'Grady

222 Parnassus Ave.

San Francisco, CA 94117

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the potholes at 783 Divisadero Street, 803 Divisadero Street, and 857 Divisadero Street.

From: Supervisor Elsbernd

To: City Attorney

Requesting/Inquiring: Requesting a memorandum from the City Attorney regarding U.S. Supreme Court's decision "KELO ET AL. V. CITY OF NEW LONDON ET AL," and explaining Oakland's decision enacting eminent domain on a private property owner to transfer the property to a private developer. What options do the City and County of San Francisco have in terms of legislation that will protect private property owners from having their property seized by order of eminent domain by

In Memoriams

Meleia Willis-Starbuck - Supervisors Sandoval and Dufty

Josephine Ann Colla - Supervisor Peskin

David Siao Shing Lao - Supervisor Ma

Pang Yuen Tang - Supervisor Ma

Felida Mairena - Supervisor Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:40 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 16, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County

of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPA¥OL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.

The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Adele Destro by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Ms. Destro or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine.htm

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

Tuesday, July 26, 2005 2:00 PM

DOCUMENTS DEPT.

SEP - 9 2005

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
Budget and Finance Subcommittee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 11:00 AM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong	2nd Monday (Bi-Monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll the Supervisor Daly was noted absent.

Supervisor Daly was previously excused from attending today's meeting. (See Infra)
Quorum present.

Supervisor Daly Excused from Attendance

Supervisor Ammiano, seconded by Supervisor Maxwell, moved to excuse Supervisor Daly from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

APPROVAL OF MEETING MINUTES

Supervisor Ammiano, seconded by Supervisor Dufty, moved to approve June 28, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

050983 **[Clarifying that the Bureau of Delinquent Revenue is authorized to add costs incurred in collecting money owed to the city to the original charge and to collect those costs from the debtor]**
Mayor

Ordinance amending Chapter 10, Article V of the San Francisco Administrative Code by amending Section 10.41-1 to authorize the Bureau of Delinquent Revenue Collection to collect costs incurred in collecting claims for money owed to the City, to add those costs to the original charge and to collect those costs from the debtor.

Ordinance No. 176-05
FINALLY PASSED

050984 **[Increasing fees for certain services provided by the Medical Examiner]**
Mayor

Ordinance making environmental findings, and amending San Francisco Administrative Code Section 8.14, to increase the fees for forensic non-medical examiner or outside county autopsy, disaster bags, removal of remains, and storage of remains.

Ordinance No. 177-05
FINALLY PASSED

050985 **[Patient Rates]**
Mayor

Ordinance amending Section 128 of the San Francisco Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2005.

Ordinance No. 178-05
FINALLY PASSED

050986 **[Public Works Code occupancy assessment fees for various encroachments]**
Mayor

Ordinance amending the Public Works Code to amend Section 723.2 to adopt a public right-of-way occupancy assessment fee for minor sidewalk encroachments, to amend Section 724.1 to modify the public right-of-way occupancy assessment fee for temporary street occupancy permits; and to add Section 786.7 to adopt a public right-of-way occupancy assessment fee for street encroachments; and making environmental findings.

Ordinance No. 179-05
FINALLY PASSED

050989 **[Recreation and Park – Tiny Tots Fees]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.35 to standardize the Department's Tiny Tot/Child Development Program's curriculum and associated fee schedule.

Ordinance No. 181-05
FINALLY PASSED

050990 **[Recreation and Park Department – Athletic Field Permit Fees for Adults]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.36 to increase the fees for use of the athletic fields by adults.

Ordinance No. 182-05
FINALLY PASSED

050991 **[Recreation and Park – Aquatic Fees]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding Section 12.34 establishing the fee structure for use of aquatic facilities and for related aquatic activities.

Ordinance No. 183-05
FINALLY PASSED

050992 **[Lake Merced Fees – Boat Storage]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by adding San Francisco Park Code Section 12.38 to establish boat storage fees.

Ordinance No. 184-05
FINALLY PASSED

050999 **[Arts Commission Special Funds]**
Mayor

Ordinance amending Article XIII of the San Francisco Administrative Code by amending Sections 10.100-28, 10.100-30 and 10.100-34 to redesignate the Arts Commission Market Street Art Maintenance Fund and the Arts Commission Youth Arts Fund as sub-accounts of the Arts Commission Public Arts Fund.

Ordinance No. 187-05
FINALLY PASSED

051000 **[Board of Appeals Surcharge]**
Mayor

Ordinance (1) amending Section 10G.1 of the San Francisco Administrative Code to add a Board of Appeals surcharge for tobacco retailer's permits issued pursuant to San Francisco Health Code Section 1009.53, (2) amending Section 10G.1 to adjust the surcharges for permits and annual license renewals issued pursuant to San Francisco Police Code Sections 2.26, 2.27 and 2.27.1, and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the new Board of Appeals Surcharge and adjustments to existing Board of Appeals surcharges are not a "project" and that such surcharges are imposed for the purpose of meeting operating expenses of the Board of Appeals, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to administrative appeals to the Board of Appeals pursuant to Charter Section 4.106.

Ordinance No. 188-05
FINALLY PASSED

050993 **[Providing for waiver of fees and changing fees for Emergency Medical Services and making environmental findings]**
Mayor

Ordinance amending Article 3 of the Health Code by adding Section 120.1 to require the San Francisco Fire Department to waive fees for Emergency Medical Services upon a showing that all persons legally obligated to pay have insufficient income to pay the bill without undue hardship and the patient is not covered by insurance; and amending Section 128.1, to create a fee for providing service to a patient without transporting the patient, to increase the base rate fees for both Basic Life Service and Advanced Life Service, to increase the fee for mileage, to eliminate the fee for night service, to substitute a flat fee for supplemental supplies in place of fees for individual supplies used to treat each patient, to amend the language regarding changes in fees in subsequent years to fix typographical errors, to eliminate the provision by which the San Francisco Fire Department could add charges for additional supplies, and to make environmental findings.

Ordinance No. 185-05
FINALLY PASSED

050994 **[Increasing Fire Department Fees For Service]**
Mayor

Ordinance amending Sections 106.8, 106.9, 106.11, 106.15, 106. 17, and Table 106B of the San Francisco Fire Code to increase the San Francisco Fire Department's fees for high rise inspection, plan review, pre-application plan review, overtime, and water flow requests, to become operative on its effective date or on July 1, 2005 whichever is later, and making environmental findings.

Ordinance No. 186-05
FINALLY PASSED

051001 **[Making Environmental Findings and Establishing the Community Courts Program and Administrative Fee]**
Mayor

Ordinance making required environmental findings; amending section 10.100-95 of the Administrative Code to provide that monies collected from participants in the Community Court Program to settle disputes or dismiss charges be deposited in the Mayor's Community Support Fund and make other technical amendments; amending section 10.100-295 of the Administrative Code to designate the Mayor's Office of Criminal Justice as administrator of the Dispute Resolution Program and Fund and to designate the Mayor's Office of Criminal Justice and the District Attorney's Office as administrators of the Community Courts Program; and to add section 10.183 to the Administrative Code to establish and authorize the District Attorney to collect a Community Court Program Administrative Fee to recover the City's costs for the District Attorney to participate in the operation of the Community Courts Program.

Ordinance No. 189-05
FINALLY PASSED

051002 **[Establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections]**
Mayor

Ordinance making environmental findings and amending the San Francisco Administrative Code by adding a new section 2A.22.1 establishing Mayor's Office on Disability administrative fees for plan reviews and site inspections.

Ordinance No. 190-05
FINALLY PASSED

051004 **[Recovery of the City's costs of emergency response to incidents resulting from the negligent operation of a motor vehicle, boat or vessel by a person under the influence of alcohol or drugs]**
Mayor, Supervisors Ma, Mirkarimi

Ordinance adding Chapter 10H to the San Francisco Administrative Code authorizing the City to recover the costs of emergency response to incidents resulting from negligent operation of motor vehicles, boats or vessels by persons under the influence of alcohol or drugs, and the costs of emergency response to incidents caused by individuals' intentionally wrongful conduct; defining emergency response for the purpose of this chapter; providing for the establishment by ordinance of the standard, hourly charges for personnel and equipment used in emergency response to such incidents; and directing the Police Department, Fire Department and the Health Department to coordinate with designated City officials to prepare and deliver invoices to the persons responsible for the costs of the City's emergency response to such incidents.

Ordinance No. 192-05
FINALLY PASSED

050917 **[Planning Department fee increases and permit surcharge to cover costs of appeals to the Board of Supervisors]**
Supervisor Peskin

Ordinance amending the San Francisco Planning Code by amending Sections 352 and 355 and by amending the San Francisco Administrative Code by amending Section 31.22 to increase planning fees and add a surcharge to compensate the City for the costs of appeals to the Board of Supervisors; making environmental findings. .

Ordinance No. 175-05
FINALLY PASSED

051027 **[Entertainment Commission Permits, Licenses and Fees]**
Mayor

Ordinance (1) amending the San Francisco Police Code by amending Sections 2.2, 2.9, 2.25, 2.26, 2.27, 2.31, 43, 43.2, 48 1037.2, and adding Sections 1060.1-1 and 1070.1-1, to (i) increase the application fees for Place of Entertainment permits and permits for Extended Hours Premises, and the annual license fees for Places of Entertainment and Mechanical Amusement Devices, to defray the City's annual costs of Entertainment Commission operations attributable to such permitted businesses, (ii) eliminate distinctions between commercial and non-commercial uses for purposes of loudspeaker permits (iii) and to make technical amendments and corrections, as specified; (2) amending the San Francisco Business and Tax Regulations Code by amending Sections 1.1, 1.2, 1.3, 1.51, 8, and 23, and adding Sections 249.17, 249.18, and 249.19, to make technical amendments and corrections in conformity with the amendments to the Police Code; and (3) making findings pursuant to the California Environmental Quality Act, Public Resources Code Section 21080(b)(8)(A), that the adjustments to the fees are not a "project" and that such fees are imposed for the purpose of meeting operating expenses of the Entertainment Commission and Police Department, including employee wage rates, fringe benefits and other direct and indirect overhead charges attributable to such entertainment-related permits and annual licenses.

Ordinance No. 193-05
FINALLY PASSED

051133 **[Repealing Revolving Fund for Commission on the Status of Women]**
Mayor

Ordinance amending the Administrative Code by repealing section 10.169-11 to eliminate the Commission on the Status of Women's revolving fund.

Ordinance No. 197-05
FINALLY PASSED

051135 **[Requiring City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year]**
Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.19-5, to require City departments to report to the Board of Supervisors each quarter on those appropriations items where the department is spending at a rate that would exhaust the appropriation before the end of the fiscal year.

Ordinance No. 198-05
FINALLY PASSED

051136 **[Establishing the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services]**
Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 10.100-290, to establish the San Francisco City Services Preservation Fund to receive donations from employees and private donors in order to offset the City's deficit and preserve City services.

Ordinance No. 199-05
FINALLY PASSED

051139 **[Authorizing the Sheriff and Police Departments to implement a booking fee and seek State reimbursement; providing for cost recovery]**
Mayor

Ordinance amending the San Francisco Administrative Code by adding Section 8.27-1, to authorize the Sheriff and Police Departments to implement a booking fee and seek State reimbursement and to direct the Controller to provide for full cost recovery between the departments.

Ordinance No. 201-05
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

051057 **[Traffic Regulations]**
Supervisor Elsbernd

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Bayshore Boulevard, southbound, between Industrial Street and Silver Avenue.

BICYCLE LANES - ESTABLISH
John Muir Drive, both sides, between Lake Merced Boulevard and the east property line of the Lakewood Apartments.

NO LEFT TURN ON RED, 6 AM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Fremont Street, northbound, at Howard Street

ONE-WAY (NORTHBOUND) TRAFFIC DESIGNATION - RESCIND
Arago Street, between Havelock and Paulding Streets

NO LEFT TURN - ESTABLISH
Westbound Paulding Street to southbound Arago Street (makes existing regulations permanent)

NO RIGHT TURN - ESTABLISH
Eastbound Paulding Street to southbound Arago Street (makes existing regulations permanent)

RIGHT LANE MUST TURN RIGHT EXCEPT BUSES - ESTABLISH
Geary Boulevard, westbound, at Presidio Park Boulevard (Parking and Traffic Department)

(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

Supervisor Elsbernd requested to be added as sponsor.

Resolution No. 547-05
ADOPTED

051058 **[Parking Regulations]**
Supervisor Elsbernd

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Rhode Island Street, east side, from 17th Street to 190 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Bayshore Boulevard, west side, from Industrial Street to Silver Avenue (to allow installation of bicycle lanes).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
49-51 and 55 Norfolk Street, between the driveways of 49-51 and 55 Norfolk Street (12-foot space accommodating 2 motorcycle spaces).

RESIDENTIAL PERMIT PARKING AREA "I" (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
2700 and 2730 Mission Street, between 23rd and 24th Streets (adds specific addresses only, no signs will be posted on this block).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Moraga Street, both sides, between 12th Avenue and Funston Street (600 Block).

2-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
Kansas Street, east side, between 16th and 17th Streets (300 Block). (Parking and Traffic Department)

(6/3/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3012.)

Supervisor Elsbernd requested to be added as sponsor.

Resolution No. 548-05

ADOPTED

051186 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Bocana Street, Wool Street and Powhattan Avenue, installing STOP signs at the Bocana Street, Wool Street and Powhattan Avenue approaches, making this a Three-Way STOP;
Peter Yorke Way and Post Street, stopping Peter Yorke Way at Post Street;
21st and Hampshire Streets, stopping 21st Street at Hampshire Street, making this intersection an All-Way STOP;
Boylston and Sweeny Streets, stopping Boylston Street at Sweeny Street, making this intersection an All-Way STOP;
Barneveld and Sweeny Streets, stopping Sweeny Street at Barneveld Street, making this intersection an All-Way STOP; and,
44th Avenue and Santiago Street, stopping 44th Avenue at Santiago Street, making this intersection an All-Way STOP. (Parking and Traffic Department)

(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

Resolution No. 553-05
ADOPTED

051188 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

STREET CLOSURE, 10 AM TO 10 PM, EVERYDAY - RESCIND
STREET CLOSURE, 10 AM TO 2 AM, EVERYDAY - ESTABLISH
Claude Lane, between Bush and Sutter Streets (Parking and Traffic Department)

(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

Resolution No. 554-05
ADOPTED

051190 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
26th Street, both sides, between Church and Dolores Streets (3800 Block).

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Kimball Street east side, south of Sacramento Street.

UNMETERED MOTORCYCLE PARKING - RESCIND
32nd Avenue, east side, from 215 feet north of Anza Street to 25 feet northerly (leaving 4 motorcycle parking spaces).

NO PARKING ANYTIME - ESTABLISH
Le Conte Circle, both sides, at Le Conte Avenue; and,
Stanyan Street, west side, within the intersection of Hayes Street.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
4th Street, east side, from 42 to 82 feet south of Market Street; and,
Paulding Street, south side, from the Arago Street intersection to 115 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "N" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Fulton Street, north side, between Funston and 10th Avenue (3400, 3500, 3600 blocks). (Parking and Traffic Department)

(6/24/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3023.)

Resolution No. 555-05
ADOPTED

Recommendations of the Rules Committee

050705 **[Appointment - Mental Health Board]**
Resolution appointing John Kevin Hines, term ending January 31, 2006, and Thomas Purvis, term ending January 31, 2007, to the Mental Health Board.

John Kevin Hines, succeeding Dennis Yun, resigned, seat 12, must be a consumer, for the unexpired portion of a three-year term ending January 31, 2006.

Thomas Purvis, succeeding Carol Knight, resigned, seat 14, must be a family member, for the unexpired portion a three-year term ending January 31, 2007.

Resolution No. 541-05
ADOPTED

051326 **[Appointment - Treasury Oversight Committee]**
Resolution appointing Richard Sullivan, term ending June 5, 2009, to the Treasury Oversight Committee.

Richard Sullivan, succeeding himself, term expired, seat 5, must represent the public at large or must represent the Treasurer, for the unexpired portion of a four-year term ending June 5, 2009.

Resolution No. 568-05
ADOPTED

051328 **[Appointment - Arts Task Force]**
Resolution appointing Anjali Nath, term ending November 1, 2005, to the Arts Task Force, residency requirement waived.

Anjali Nath, succeeding Deborah Cullinan, resigned, seat 15, must serve as a director, staff member or board member of a non-profit arts organizations based in San Francisco with an annual budget between $250,000 and one million dollars, for the unexpired portion of a six-month term ending November 1, 2005.

Resolution No. 569-05
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

051130 **[Government Funding, Fiscal Year 2005-2006]**
Mayor

Consolidated Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 2006.

(Fiscal impact.)
(Supervisor McGoldrick Dissenting in Committee)
(Supervisor Mirkarimi Dissenting in Committee on the Annual Appropriation Ordinance for Selected Departments)

Ordinance No. 203-05
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

051131 **[Public Employment, Fiscal Year 2005-2006]**
Mayor

Consolidated Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 2006, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor.

(Fiscal impact.)

Ordinance No. 204-05
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

050987 **[Golf Fees - Harding Park, Golden Gate Park, McLaren Park]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.12 to increase the fees at Harding Park and Fleming Golf Courses; amending Sec. 12.16 to increase the fees at Golden Gate Park Golf Course; amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and amending Sec. 12.33 to set a maximum fee for golf cart rentals.

Ordinance No. 180-05
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

051003 **[Repeal of exemption from paying tow and storage fees on stolen vehicles, and waiver of an administrative fee for recovered stolen vehicles owned by residents]**
Mayor

Ordinance repealing San Francisco Administrative Code Section 10C.8-1, which exempts residents of San Francisco from paying tow and storage fees on stolen vehicles, and amending San Francisco Administrative Code Section 10C.1 and San Francisco Traffic Code Section 170.1 to exempt City residents from payment of an administrative fee in connection with the towing and storage of stolen vehicles.

Ordinance No. 191-05
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

051137 **[Prohibiting the Department of Human Services from requiring fingerprint imaging of clients, unless required by grant programs, by state or federal law, by voter initiative, or by the County Adult Assistance Programs]**
Mayor, Supervisor Daly

Ordinance amending the San Francisco Aministrative Code by adding Section 20.30, to prohibit the Department of Human Services from requiring Biometric imaging of clients, unless required by grant programs, by state or federal law, or expressly authorized by vote initiative.

Ordinance No. 200-05
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Recommendation of the Government Audit and Oversight Committee

051045 **[Appropriate proceeds from the sale of bonds and the Water Enterprise's Fund Balance to fund the SFPUC Water System Improvement Program for fiscal year 2005-06 and the first six-months of fiscal year 2006-07]**
Mayor

Ordinance appropriating $153,981,000 for project activities and $6,789,188 for program management services of bond sales proceeds, and $1,000,000 of the Water Enterprise's Fund Balance totaling $161,770,188 to fund the San Francisco Public Utilities Commission's (SFPUC) Water System Improvement Program for fiscal year 2005-06 and the first six-months of fiscal year 2006-07.

(Fiscal impact.)
Supervisor Daly dissented in committee.

Ordinance No. 196-05
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Recommendation of the Land Use Committee

050085 **[Ordering vacation of 22nd Street between Arkansas and Connecticut Streets]**
Ordinance ordering the vacation of the 22nd Street right-of-way between Arkansas and Connecticut Streets subject to reservations of certain utility easements in the vacated area; authorizing the sale of a portion of the vacated street area pursuant to the terms of an agreement for sale of real estate; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this ordinance. (Real Estate Department)

Ordinance No. 171-05
FINALLY PASSED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Recommendation of the Rules Committee

031567 **[Charter Amendment - Establishing an Emergency Health Care Services Fund and baseline funding for the Fund]**
Supervisors Daly, Sandoval

Charter Amendment (Fourth Draft) to add Section 16.126 to increase the fiscal authority of the Health Commission and establish a stable baseline funding level for the Department of Public Health to ensure the continued operation of San Francisco public health services.

Continued to August 2, 2005
Supervisor Sandoval requested to be added as a co-sponsor.
Supervisor Sandoval, seconded by Supervisor Ammiano, moved that this Charter Amendment be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

NEW BUSINESS

Recommendations of the City Operations and Neighborhood Services Committee

050824 **[Contract funds to participate in the development of a national violent death reporting system]**
Supervisor Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with the California Department of Health Services (CDHS), the primary contractor, and expend funds in the amount of up to $70,000 in order to participate in the development of a national violent death reporting system, and to add one 0.5 position funded under this agreement; for the period of January 1, 2005, through September 29, 2009.

Resolution No. 542-05
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

050979 **[Contract funds to participate in the HIV Prevention Trials Unit Protocol 039 study]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement with PHFE Management Solutions (PHFE), the primary contractor, and expend funds in the amount of $51,934 in order to participate in the HIV Prevention Trials Unit Protocol 039 study; for the period of July 1, 2004, to June 30, 2005. (Public Health Department)

Resolution No. 544-05
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

051048 **[Endorsing the bill of rights established by the San Francisco Children of Incarcerated Parents Partnership and urging relevant city agencies to work together towards its implementation]**
Supervisors Dufty, Maxwell, Alioto-Pier, Sandoval, Ma, McGoldrick, Mirkarimi, Ammiano

Resolution endorsing the bill of rights established by the San Francisco Children of Incarcerated Parents Partnership and urging relevant city agencies to work together its implementation to reduce recidivism for parents and improve outcomes for children.

Supervisors Mirkarimi and Ammiano requested to be added as co-sponsors.

Resolution No. 545-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

051117 **[Urging the California Public Utilities Commission to order PG&E to pay a substantial fine and to take necessary corrective measures to prevent future indoor substation fires and outages]**
Supervisors McGoldrick, Mirkarimi, Maxwell, Ammiano

Resolution urging the California Public Utilities Commission (CPUC) to require PG&E to take all measures necessary to ensure that PG&E substations are safe and reliable, urging the CPUC to impose a substantial fine on PG&E for allowing unsafe and unreliable conditions to develop and persist at the Mission Substation, and calling on PG&E to compensate all persons, businesses and governmental entities that suffered economic harm as a result of any PG&E electrical outages.

Resolution No. 549-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

From the Government Audit and Oversight Committee Without Recommendation

051275 **[Legal Action - Protecting Tenants]**
Supervisor Peskin

Resolution urging the San Francisco City Attorney to file a `friend of the court'/amicus curiae' brief to set forth our city's interest in protecting tenants against wrongful evictions.

Resolution No. 557-05

ADOPTED by the following vote:

Ayes: 7 - Ammiano, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Ma
Excused: 1 - Daly

Recommendation of the Land Use Committee

050862 **[Rincon Hill Area Plan Amendments]**
Supervisor Daly

Ordinance amending the San Francisco General Plan by amending the Rincon Hill Area Plan, the Urban Design Element, the Recreation and Open Space Element, the Downtown Plan, the South of Market Area Plan, and the Land Use Index to conform them with proposed Rincon Hill Downtown Residential District; adopting environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Recommendations of the Rules Committee

050741 **[Creating a Food Security Task Force]**
Supervisors Maxwell, Mirkarimi, Ammiano, Daly

Ordinance amending the San Francisco Health Code by adding Sections 470.1 and 470.2, to establish a Food Security Task Force charged with creating a strategic plan to address hunger, enhancing food security, and increasing participation in federally funded programs; requiring preparation of reports and a strategic plan; and including a sunset provision.

Supervisor Ammiano requested to be added as a co-sponsor.
PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd
Excused: 1 - Daly

051159 **[Accept and Expend Gift - Robin and Marsha Williams]**
Supervisors Alioto-Pier, Ammiano

Resolution accepting a gift in the amount of $80,000 from Robin and Marsha Williams and authorizing its expenditure to repair and improve a retaining wall and median strip on Seacliff Avenue.

Supervisor Ammiano requested to be added as a co-sponsor.
Resolution No. 552-05
ADOPTED by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

050132 **[Rules of Order of the Board - Material Economic Impact Legislation]**
Supervisors Alioto-Pier, Elsbernd

Motion amending the Rules of Order of the Board of Supervisors to add Rule 6.25, which will provide a process for holding public hearings associated with legislation that might have a material economic impact on the City.

Continued to August 2, 2005
Supervisor Elsbernd requested to be added as a co-sponsor.
Supervisor McGoldrick, seconded by Supervisor Alioto-Pier, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

SPECIAL ORDER 3:00 P.M.

051243 **[Hearing - "2500 Block of Mission Street Business Improvement District (BID)"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "2500 Block of Mission Street Business Improvement District (BID)," ordering the levy and collection of assessments against property located in that district for five years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Speakers in support of 2500 Mission Street Business Improvement District
Philip Lessor, President of Mission Merchants Association
Gideon Kramer, Green Patrol
Male speaker
Judith Berkowitz

Speakers Opposed to 2500 Mission Street Business Improvement District
Representative, Mission Economic Development Agency
Lia Miller, Mission Economic Development Agency
Robert Levy, expressed concern over notification process

The President requested the Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.

The Clerk of the Board informed the President that the Department of Elections had finished processing the ballots submitted.
The President declared the Public Hearing closed.
Tabulation of the ballots cast began by the Department of Elections.
HEARD AT PUBLIC HEARING.

051189 **[Resolution to establish the 2500 Block of Mission Street Business Improvement District]**
Supervisors Ammiano, Dufty

Resolution establishing a property-based business improvement district to be known as the "2500 Block of Mission Street Business Improvement District (BID)," ordering the levy and collection of assessments against property located in that district for five years, commencing with fiscal year 2005-2006, and making environmental findings.

The Clerk of the Board announced the tabulations of the 2500 Mission Street Business Improvement District:
Voting For 66.70%
Voting Against 33.30%

Resolution No. 539-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ma
Excused: 1 - Daly

Supervisor McGoldrick Excused from Voting

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to excuse Supervisor McGoldrick at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

051241 **[Hearing - "Fisherman's Wharf Community Benefit District (CBD)"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, subject to conditions as specified, and making environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.
Speakers in support of Fisherman's Wharf Community Benefit District
Mr. Fung, President, Fisherman's Wharf Merchants
Ms. Mish, Past President of Fisherman's Wharf Merchants
Christopher Martin, President Cannery Properties, Inc.
Timothy Losch, Academy of Opthomalogy

Speakers Opposed to Fisherman's Wharf Community Benefit District
Robert Barbagelata, requested not to have property included in benefit district
Joseph Piccinini; requested not to have property included in benefit district

The President requested the Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.

The Clerk of the Board informed the President that the Department of Elections had finished processing the ballots submitted.
The President declared the Public Hearing closed.

Tabulation of the ballots cast began by the Department of Elections.
HEARD AT PUBLIC HEARING.

051184 **[Resolution to establish the Fisherman's Wharf Community Benefit District]**
Supervisor Peskin

Resolution establishing a property-based business improvement district to be known as the "Fisherman's Wharf Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, subject to conditions as specified, and making environmental findings.

The Clerk of the Board announced the tabulations of the Fisherman's Wharf Community Benefit District:
Voting For 80.64%
Voting Against 19.36%

Resolution No. 540-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Dufty, seconded by Supervisor Ammiano, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Supervisors Dufty and Ammiano introduced, welcomed and presented Certificates of Honor to members of the organizers of the Gay Pride festivities.

Supervisor Sandoval introduced, welcomed and presented Certificates of Honor to Mei Yan Fang and Li Qin Yang Zhu.

Supervisor Ma introduced, welcomed and presented Certificates of Honor to the winners of the 77th San Francisco Junior Golf Tournament and staff at Lincoln Golf Course.

SPECIAL ORDER 4:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

051287 **[Hearing - Emergency ordinance reenacting a Disadvantaged Business Enterprise Program]**

Hearing to consider the possible adoption of an Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

051286 **[Reenacting a Disadvantaged Business Enterprise Program]**

Supervisor Ma

Emergency ordinance reenacting a Disadvantaged Business Enterprise Program set forth in Chapter 14A of the San Francisco Administrative Code; suspending Chapter 12D.A; providing for data collection to ensure nondiscrimination in City contracting; and adopting a declaration of emergency.

Ordinance No. 202-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

SPECIAL ORDER 4:00 P.M.

051222 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

The President inquired as to whether or not any member of the public wished to address the Board.
Continued to August 9, 2005

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051223 **[Affirming the categorical exemption issued for 899 North Point Street]**

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to August 9, 2005

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

051224 **[Disapproving the categorical exemption issued for 899 North Point Street]**

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to August 9, 2005

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

051225 **[Preparation of findings related to the categorical exemption issued for 899 North Point Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to August 9, 2005

Supervisor Sandoval, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

SPECIAL ORDER 4:30 P.M.

051270 **[Public Hearing - Appeal of Minor Sidewalk Encroachment for 405 Hill Street]**

Hearing of persons interested in or objecting to the the decision of the Department of Public Works, by its letter dated June 20, 2005, approving a request for a Minor Sidewalk Encroachment Permit to occupy a portion of the public sidewalk right-of-way for the purpose of constructing and maintaining two 30" high planter box, and a warped driveway ramp, to encroach 3'-9" into the public sidewalk right-of-way fronting the property at 405 Hill Street. (Appellant: Bob Callori)

(Filed June 29, 2005; companion measure to Files 051271, 051272; District 8.)

The President inquired as to whether or not any member of the public wished to address the Board.
Appellant; Bob Callori, Dolores Design Review Committee
Pam Capella; support of appellant

Nick Elsner, Department of Public Works reviewed with the Board the Department's recommendation.
Sponsor
Appellant, Rebuttal Period

The President declared the Public Hearing closed.

HEARD AT PUBLIC HEARING.

(Only one of the following two motions should be adopted.)

051271 **[Disapproving Minor Sidewalk Encroachment Permit Appeal - 405 Hill Street]**

Motion disapproving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 405 Hill Street and denying the Encroachment Permit. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Sandoval, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 1 - McGoldrick
Excused: 1 - Daly

051272 **[Approving Minor Sidewalk Encroachment Permit Appeal - 405 Hill Street]**

Motion approving the decision of the Director of Public Works' approval of a Minor Sidewalk Encroachment Permit at 405 Hill Street and denying the appeal. (Clerk of the Board)

Motion No. M05-104

APPROVED by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Sandoval
Noes: 1 - Peskin
Absent: 1 - McGoldrick
Excused: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Ammiano provided the Board with an update on the Golden Gate Bridge District and the Municipal Transportation Commission on which he represents the Board of Supervisors.

PUBLIC COMMENT

James Chaffee; expressed concern relating to Radio Frequency tracking of Library books
Walter; showed interest in the space program
Eugene Gordon, Jr; expressed concern relating to human injustices
John DiDonna; expressed concern with general issues
Marilyn Amini; requested to amend File No.051345 - Extension of Planning Commission Review Period
Judy Berkowitz, Coalition for Better Neighborhood"; requested to amend File No. 051345 - Extension of Planning Commission Review Period
John Bardis; expressed concern relating to File No. 051345 - Extension of Planning Commission Review Period and requested this matter be referred to Committee
Male speaker; expressed concern with issues relating to gay marriages
Male speaker; expressed concern with issues relating to medical cannabis dispensaries

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY

Supervisor Sandoval noted absent at 5:00 p.m.

051280 **[Significant Exposure to Litigation Involving the City]**
[City as Plaintiff and/or Defendant]

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation involving the City related to the renewal of the cable franchise for Comcast of California III. Government Code Section 54956.9(b)(1) and (b)(3) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session. Based on existing facts and circumstances, there is a significant exposure to litigation involving the City and County.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval
Excused: 1 - Daly

Recess

The Board recessed at the hour of 5:00 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 6:16 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin -8

Supervisor Ammiano was noted absent at 6:10 p.m.

Report on Closed Session

Deputy City Attorney Cheryl Adams, reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9(a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:
Supervisors Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin

Cheryl Adams, Deputy City Attorney
Theresa Mueller, Deputy City Attorney
Ed Harrington, Controller
William Lowrey, Miller & Van Eaton, Outside Counsel
Chris Vein, Acting Director, DTIS
Brian Roberts, DTIS
Ron Vinson, Acting Administrator, DTIS
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk

The meeting was informational only and no action was taken.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor McGoldrick, seconded by Supervisor Elsbernd, moved. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 2 - Ammiano, Sandoval
Excused: 1 - Daly

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051332 **[Accept-Expend Gift - Department of Public Works]**
Supervisor Maxwell

Resolution authorizing the Department of Public Works to accept a gift in the amount of up to $250,000 from the San Francisco Parks Trust for the construction of a children's playground on the Sunnydale Housing Project.

Resolution No. 570-05
ADOPTED

051337 **[Alternative Family Services Day]**
Supervisors Ammiano, Dufty

Resolution recognizing the outstanding contributions of Alternative Family Services, its foster parents, and staff proclaiming Wednesday, the 27th of July, 2005 in the City and County of San Francisco.

Resolution No. 571-05
ADOPTED

051339 **[Commending Libby Albert]**
Supervisor Dufty

Resolution commending Libby Albert for her work with the After School Enrichment Program (ASEP), and wishing her continued success with the Department of Children, Youth, and Their Families (DCYF).

Resolution No. 573-05
ADOPTED

051340 **[Honoring Patricia Toomey]**
Supervisor Ma

Resolution honoring Patricia Toomey for her lifelong work and commitment to her native city of San Francisco.

Resolution No. 574-05
ADOPTED

051341 **[Supporting Senate Bill 600 - Healthy Californians Biomonitoring Program]**
Supervisor Ma

Resolution urging the support of Senate Bill 600, the Healthy Californians Biomonitoring Program.

Resolution No. 581-05
ADOPTED

051344 **[Accept-Expend State Grant - Port Commission]**
Supervisor Maxwell

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $132,600 from the California Coastal Conservancy for the Pier 94 Wetlands Enhancement Project.

Resolution No. 576-05
ADOPTED

051347 **[Recognizing the importance of the African Diaspora in Latin America and North and South America]**
Supervisor Sandoval

Resolution recognizing the importance of the African Diaspora in Latin America as well as North and South America.

Resolution No. 577-05
ADOPTED

051348 **[Commending Friar Louie Vitale]**
Supervisors Sandoval, Mirkarimi

Resolution commending Friar Louie Vitale for his many years of dedicated service as Pastor of St. Boniface Church.

Supervisor Mirkarimi requested to be added as a co-sponsor.

Resolution No. 578-05
ADOPTED

051278 **[Final Map for a 6 Unit Commercial Condominium Project - Fulton Masonic]**
Motion approving Final Map of Fulton Masonic, a Commercial Condominium Project, being a subdivision of Lot 30 in Assessor's Block No. 1175, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,491; District 5.)

Motion No. M05-102
APPROVED

051279 **[Final Map for a 42 Unit Mixed Use Condominium Project - Tiffany Gardens 199 Tiffany Avenue/3294 Mission Street]**
Motion approving Final Map of San Francisco Tiffany Gardens 199 Tiffany Avenue/3294 Mission Street, A Mixed Use Condominium Project, being a subdivision of Lot 12 in Assessor's Block No. 6596, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(DPW Order No. 175,479; District 9.)

Motion No. M05-103
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Severed from the Without Reference Committee Agenda

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

051335 **[Charlotte Mailliard Shultz Staircase Renaming]**
Supervisors Peskin, Dufty, Elsbernd

Resolution renaming the Grand Staircase of San Francisco City Hall's rotunda as the Charlotte Mailliard Shultz Staircase.

Supervisor Mirkarimi requested that this matter be referred to Committee.
Supervisors Dufty and Elsbernd requested to be added as co-sponsors.
REFERRED to the City Operations and Neighborhood Services Committee.

Supervisor Ma requested that this matter be severed so that it might be considered separately.

051336 **[Street Improvements on 25th Avenue]**
Supervisor McGoldrick

Resolution requesting that the Municipal Transportation Agency and Department of Public Works, work with the 25th Avenue Neighborhood Association to address, improve, and enhance conditions on 25th Avenue, and to expend funds as feasible and necessary to meet those ends.

Supervisor Ma requested that this matter be referred to Committee.
REFERRED to the City Operations and Neighborhood Services Committee.

Supervisor Ammiano requested that this matter be severed so that it might be considered separately.

051338 **[Dykes on Bikes Trademark]**
Supervisors Ammiano, Dufty, Sandoval, Mirkarimi

Resolution urging that the U.S. Patent and Trademark Office accept the San Francisco Women's Motorcycle Contingent's application to trademark the name, "Dykes on Bikes", for the group to use for educational and entertainment purposes such as parades, festivals, and other occasions celebrating the liberation of gay and lesbian people from historical discrimination.

Amended to add " bi-sexual and transgender" after "gay and lesbian".
Supervisors Sandoval and Mirkarimi requested to be added as co-sponsors.
Supervisor Ammiano, seconded by Supervisor Dufty, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Resolution urging that the U.S. Patent and Trademark Office accept the San Francisco Women's Motorcycle Contingent's application to trademark the name, "Dykes on Bikes", for the group to use for educational and entertainment purposes such as parades, festivals, and other occasions celebrating the liberation of gay, lesbian, bi-sexual and transgender people from historical discrimination.

Resolution No. 572-05
ADOPTED AS AMENDED.

Supervisor Ma requested that this matter be severed so that it might be considered separately.

051342 **[Supporting AB 378 (Chu) - Hate Crime Civil Remedies Act]**
Supervisor Ma

Resolution urging California Governor Arnold Schwarzenegger to sign AB 378 (Chu), the Hate Crime Civil Remedies Act into law.

Supervisor Ma, seconded by Supervisor Dufty, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Supervisor Maxwell requested that this matter be severed so that it might be considered separately.

051343 **[Endorsing recommendations of the Strategic Alliance]**
Supervisor Maxwell

Resolution endorsing the Recommendations of the Strategic Alliance: "Taking Action for a Healthier California".

Supervisor Maxwell, seconded by Supervisor Sandoval, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Resolution No. 575-05
ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Supervisor Ma requested that this matter be severed so that it might be considered separately.

051345 **[Zoning - Extension of Planning Commission Review Period]**
Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

Supervisor Ma withdrew her request to refer this matter to Committee.

Continued to August 2, 2005

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

051346 **[Urging support for Preservation and Restoration of Sacred Heart Church]**
Supervisors Mirkarimi, Daly

Resolution urging the Department of Building Inspection and the San Francisco Archdiocese to diligently monitor the status and condition of the historic Sacred Heart Church and expressing support for preserving this historical treasure through all means possible.

Continued to August 2, 2005

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Daly

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

031034 **[Planning Code - Northeast Waterfront Historic District Signs]**
Supervisor Peskin

Ordinance amending the Planning Code by creating section 608.15 to establish the Northeast Waterfront Special Sign District, creating section 609.14 to address amortization of nonconforming signs in this District, amending section 608 and Article 10, Appendix D, section 7 to be consistent with this Ordinance, amending the Zoning Map Sectional Map SSD-1 to show the boundaries of this District, and making findings of consistency with the General Plan and priority policies of Planning Code section 101.1.

6/3/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 7/3/2003.

6/10/03, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

8/6/03, RESPONSE RECEIVED. Notification of Project Receiving Environmental Review, dated August 4, 2003.

10/16/03, RESPONSE RECEIVED. Planning Commission Resolution No. 16673 adopted October 2, 2003, recommending approval of proposed ordinance with suggested modifications. Received Certificate of Exemption from environmental review dated September 4, 2003.

7/26/05, REACTIVATED PURSUANT TO RULE 5.23.

7/26/05, ASSIGNED to Land Use Committee.

051357 **[Requiring the Office of Emergency Services to submit a written report following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning]**
Supervisor Mirkarimi

Ordinance amending the San Francisco Administrative Code by adding Section 7.4-1, to require the Office of Emergency Services to submit a written report to the Disaster Council and the Board of Supervisors following any declared emergency, activation of the City's Emergency Operations Center, or credible disaster warning.

7/26/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 8/25/2005.

051358 **[Appropriate General Obligation Bond sale proceeds from the 2005A and 2005I series to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works]**
Supervisor Elsbernd

Ordinance appropriating $39,328,014 of General Obligation Bond proceeds from the sale of the 2005A Series and appropriating, and placing on reserve, $69,000,000 from the General Obligation Bond proceeds from the 2005I Series for a total of $108,328,014 to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works for fiscal year 2005-06.

(Fiscal impact.)

7/26/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be calendared at the August 8, 2005 meeting.

Resolutions

051335 **[Charlotte Mailliard Shultz Staircase Renaming]**
Supervisors Peskin, Dufty, Elsbernd

Resolution renaming the Grand Staircase of San Francisco City Hall's rotunda as the Charlotte Mailliard Shultz Staircase.
7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
7/26/05, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Mirkarimi requested that this matter be referred to Committee.
Supervisors Dufty and Elsbernd requested to be added as co-sponsors.

051336 **[Street Improvements on 25th Avenue]**
Supervisor McGoldrick

Resolution requesting that the Municipal Transportation Agency and Department of Public Works, work with the 25th Avenue Neighborhood Association to address, improve, and enhance conditions on 25th Avenue, and to expend funds as feasible and necessary to meet those ends.
7/19/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
7/26/05, REFERRED to City Operations and Neighborhood Services Committee. Supervisor Ma requested that this matter be referred to Committee.

051359 **[Laguna Honda Hospital General Obligation Bond Sale]**
Supervisor Elsbernd

Resolution authorizing and directing the sale of an issue of not to exceed $69,000,000 City and County of San Francisco General Obligation Bonds (Laguna Honda Hospital, 1999), Series 2005I; approving the form and execution of a Declaration of Trust; approving the forms of an Official Notice of Sale and a Notice of Intention to Sell Bonds; authorizing the solicitation of competitive bids for the sale of the Bonds; approving the form, execution and distribution of an Official Statement; approving the form of and authorizing the City's compliance with a Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.

(Fiscal impact.)
7/26/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee. Sponsor requests this item be calendared at the August 8, 2005 meeting.

051362 **[Amending Community Choice Aggregation Citizens Advisory Task Force Membership]**
Supervisor Ammiano

Resolution amending the membership of the Community Choice Aggregation Citizens Advisory Task Force to require that the Environmental Justice Advocate reside in the "Southeast sector" of San Francisco instead of "Hunter's Point".
7/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051363 **[Commending Mujeres Unidas y Activas (MUA)]**
Supervisors Dufty, Ammiano, Daly

Resolution commending Mujeres Unidas y Activas (MUA) for its work to organize and empower Latina immigrants, and wishing the organization continued success on its 15th Birthday.
7/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051364 **[Commemorating the 60th Anniversary of the Bombings of Hiroshima and Nagasaki]**
Supervisors Mirkarimi, Daly

Resolution commemorating the 60th Anniversary of the United States bombings of Hiroshima and Nagasaki, expressing solidarity with the Hibakusha, acknowledging the human suffering of victims and survivors, and imploring all nations to use all diplomatic and preventive efforts to cease the proliferation and use of nuclear weapons.
7/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING. 8/2/05 - Supervisor Daly requested to be added as a co-sponsor.

051365 **[Violence Against Women Act]**
Supervisor Ma

Resolution urging the San Francisco Congressional delegation to support the reauthorization of the Violence Against Women Act.
7/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051366 **[National Health Center Week]**
Supervisor Ma

Resolution recognizing August 7-13, 2005 as "National Health Center Week" in the City and County of San Francisco.
7/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051371 **[Supporting Filipino Veterans Equity Act]**
Supervisors Peskin, Daly

Resolution urging the President and the Congress of the United States of America to honor the contributions of Filipino World War II veterans by passing the Filipino Veterans Equity Act, specifically HR 302 and S 146.
7/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051372 **[Urging Urban Outfitters, Inc. to Discontinue Selling Racially Offensive Merchandise]**
Supervisors Sandoval, Mirkarimi, Daly

Resolution urging Urban Outfitters, Inc. to discontinue selling a line of racially offensive T-shirts with the slogan "New Mexico, Cleaner Than Regular Mexico" and remove the currently stocked merchandise from Urban Outfitters stores.
7/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

051356 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
7/26/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051360 **[Legislative Analyst Request - Means Testing]**
Supervisor Elsbernd

Motion requesting the Legislative Analyst to survey means testing legislation for rent control in New York City, Boston and other municipalities in Massachusetts, and determine how means testing could be applied to the San Francisco Rent Control Ordinance.
7/26/05, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 2, 20005.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

051269 **[Agreement for Tolling of Statute of Limitations Governing Claim]**
Resolution approving the City Attorney's entry into a tolling agreement governing claim by USDA Forest Service filed February 2, 2005 arising from Stanislaus National Forest fire of August 9, 2004. (City Attorney)
7/12/05, RECEIVED AND ASSIGNED to Rules Committee.

051273 **[Airport Environmental Review]**
Resolution certifying the Determination of the Office of Environmental Review that no further environmental review document is necessary for the West Field Cargo Redevelopment Project at San Francisco International Airport. (Airport Commission)
7/13/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting that the Department of Parking and Traffic and the Municipal Transportation Agency report on the feasibility of establishing a stop light at the intersection of Divisadero Street and Ellis Street.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of removal of graffiti at the property of 2863 California Street.

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting that the Department of Parking and Traffic and the Municipal Transportation Agency report on the feasibility of establishing a four way stop at the intersection of Pierce Street and Fulton Street.

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
To: Director, Municipal Transportation Agency
Requesting/Inquiring: Requesting that the Department of Parking and Traffic and the Municipal Transportation Agency report on the feasibility of establishing a stop light at the intersection of Turk Street and Baker Street.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting that the Department of Public Works report on the status of a sidewalk square repair near the curb cut of the southwest corner of California Street and Divisadero Street.

In Memoriams

Joseph Bosnich - Supervisor Elsbernd
Brendan Murphy - Supervisor Elsbernd
Greg Gund - Supervisors Alioto-Pier and Dufty
Marino Alexander Vigil - Supervisor Sandoval
Anne Wagner - Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:18 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 6, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

SEP - 9 2005

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, August 2, 2005 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Ammiano, Mirkarimi, Elsbernd	Thursday 1:00 PM
City and School District Select Committee Supervisors Ammiano, Maxwell, Ma, Commissioners Chin, Kelly, Wynns, Delegate Wong	2nd Monday (Bi-Monthly) 4:00 PM
City Operations and Neighborhood Services Committee Supervisors McGoldrick, Dufty, Ma	1st and 3rd Monday 1:00 PM
Government Audit and Oversight Committee Supervisors Peskin, Elsbernd, Daly	2nd and 4th Monday 1:00 PM
Land Use Committee Supervisors Maxwell, Sandoval, McGoldrick	Wednesday 1:00 PM
Rules Committee Supervisors Alioto-Pier, Mirkarimi, Peskin	Wednesday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll all Supervisors were noted present.

AGENDA CHANGES

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Subcommittee

050978 **[Accept-Expend Regional Grant - Airport Commission]**

Resolution authorizing the Airport Commission to accept and expend four (4) grants totaling $276,070 from the Bay Area Air Quality Management District (Air District) for acquisition of clean air vehicles by Airport transportation operators. (Airport Commission)

Resolution No. 601-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

050854 **[Airport Concession Lease]**

Resolution approving Amendment No. 2 to the Public Locker and Over-the-Counter Baggage Storage Lease No. 95-0263 between Smarte Carte, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

Resolution No. 602-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

051124 **[Lease of Real Property at 1440 Harrison Street]**

Resolution authorizing the renewal of a sublease of 52,200 sq. ft. of space at 1440 Harrison Street for the Department of Human Services. (Real Estate Department)

Resolution No. 599-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

051125 **[Airport Contract Modification - Professional Services Agreement for contract No. 3399]**

Resolution approving Modification No. 5, of the Professional Services Agreement for contract No. 3399 – Professional insurance brokerage services for specification, placement and administration of an OCIP for the Airport's Master Plan with J&H Marsh McLennan/Merriwether & Williams Insurance Services, to extend the term of the contract for three years for a new ending date of June 30, 2007. (Airport Commission)

Resolution No. 598-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

Recommendations of the Rules Committee

051329 **[Appointment - Treasury Oversight Committee]**

Resolution appointing Edward Harrington, Joseph Grazioli and Leonardo Fermin, terms ending June 5, 2009, to the Treasury Oversight Committee, residency requirement waived.

Edward Harrington, succeeding himself, term expired, seat 2, must be the Controller, for the unexpired portion of a four-year term ending June 5, 2009.

Joseph Grazioli, succeeding George Kozita, term expired, seat 3, must represent the Superintendent of Schools, for the unexpired portion of a four-year term ending June 5, 2009.

Leonardo Fermin (residency requirement waived) succeeding himself, term expired, seat 4, must represent the public at large, for the unexpired portion of a four-year term ending June 5, 2009.

Resolution No. 595-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

051368 **[Appointment - Immigrant Rights Commission]**

Resolution appointing Deborah Escobedo, Felix Levy and Samira Causevic McCoy, terms ending June 6, 2007, to the Immigrant Rights Commission.

Deborah Escobedo, succeeding herself, seat 4, term expired, must have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Felix Levy, succeeding Richard Ow, seat 6, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Samira Causevic McCoy, succeeding Phu Nguyen, seat 8, term expired, must be an immigrant to the United States who is appointed in accordance with Section 4.101 of the Charter. In addition, members shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco, for the unexpired portion of a two-year term ending June 6, 2007.

Resolution No. 589-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Rules Committee

050741 **[Creating a Food Security Task Force]**

Supervisors Maxwell, Mirkarimi, Ammiano, Daly

Ordinance amending the San Francisco Health Code by adding Sections 470.1 and 470.2, to establish a Food Security Task Force charged with creating a strategic plan to address hunger, enhancing food security, and increasing participation in federally funded programs; requiring preparation of reports and a strategic plan; and including a sunset provision.

Supervisor Daly requested to be added as a co-sponsor.

Ordinance No. 206-05

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

050132 **[Rules of Order of the Board - Material Economic Impact Legislation]**
Supervisors Alioto-Pier, Elsbernd

Motion amending the Rules of Order of the Board of Supervisors to add Rule 6.25, which will provide a process for holding public hearings associated with legislation that might have a material economic impact on the City.

Supervisor Daly, seconded by Supervisor Alioto moved an amendment of the whole.
Motion to amend carried without objection.

Further amendment made by Supervisor Daly, seconded by Supervisor Ammiano, moved to amend on page 3, line, 1 before "The Office of Economic Analysis" by inserting "from the received date and requesting the Clerk of the Board to forward the legislation to the Office of Economic Analysis upon receipt of legislation."
Motion to further amend failed by the following vote:
Ayes: 4 - Ammiano, Daly, Mirkarimi, Peskin
Noes: 7 - Alioto-Pier, Elsbernd, Ma, Maxwell, McGoldrick, Sandoval

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Motion No. M05-108

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Ammiano, Daly

031567 **[Charter Amendment - Establishing an Emergency Health Care Services Fund and baseline funding for the Fund]**
Supervisors Daly, Sandoval

Charter Amendment (Fourth Draft) to add Section 16.126 to increase the fiscal authority of the Health Commission and establish a stable baseline funding level for the Department of Public Health to ensure the continued operation of San Francisco public health services.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Charter Amendment be RE-REFERRED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use Committee

050862 **[Rincon Hill Area Plan Amendments]**
Supervisor Daly

Ordinance amending the San Francisco General Plan by amending the Rincon Hill Area Plan, the Urban Design Element, the Recreation and Open Space Element, the Downtown Plan, the South of Market Area Plan, and the Land Use Index to conform them with proposed Rincon Hill Downtown Residential District; adopting environmental findings that the proposed amendments are consistent with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

Ordinance No. 205-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Subcommittee

050865 **[Rincon Hill Area Plan: Imposing development impact fees for the provision of necessary community infrastructure in DTR Districts]**
Supervisor Daly

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees of $11 per square foot on residential development in the DTR districts to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure, to impose a SOMA community stabilization impact fee of $14 per square foot on residential development in the Rincon Hill Area Plan to provide community stabilization benefits in SOMA including affordable housing, economic development and community cohesion; amending the Zoning Map of the City and County of San Francisco to change Maps 1, 1H, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; and amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing), Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section 207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.and making findings. (Planning Department)

Supervisor Elsbernd dissented in Committee.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Elsbernd

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees of $11 per square foot on residential development in the DTR districts and surrounding areas to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure, to impose a SOMA community stabilization impact fee of $14 per square foot on residential development in the Rincon Hill Area Plan to provide community stabilization benefits in SOMA including affordable housing, economic development and community cohesion; amending the Zoning Map of the City and County of San Francisco to change Maps 1, 1H, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; and amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing), Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section 207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.and making findings.
Version 4. (Planning Department)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd

051044 **[Multifamily Housing Revenue Bonds - 575 Eddy Street Apartments]**
Supervisor Daly

Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (the "Director") to submit an application and related documents to the California Debt Limit Allocations Committee ("CDLAC") to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $5,000,000 for 575 Eddy Street Apartments; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $25,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $5,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

Resolution No. 600-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Absent: 1 - McGoldrick

051198 **[Muni Standard Hybrid-Electric Bus Procurement]**
Supervisors Ammiano, Alioto-Pier, Mirkarimi

Resolution approving the award of Contract Proposal No. 350 (Procurement of Standard Low Floor Hybrid-Electric Diesel Coaches) between the City and County of San Francisco and Orion Bus Industries, in an amount not to exceed $29,398,629.

Resolution No. 597-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Budget and Finance Committee

Supervisor Ma Excused from Voting

Supervisor Maxwell, seconded by Supervisor Sandoval, moved to excuse Supervisor Ma at her request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ma

051258 **[Golf Fees - Cost of Living, McLaren Park]**
Supervisor McGoldrick

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and adding Sec. 12.37 to establish fees for Gleneagles Course at McLaren Park.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ma

Recommendations of the Government Audit and Oversight Committee

050919 **[Capital Planning Fund]**
Supervisor Elsbernd

Ordinance establishing a Capital Planning Fund to Receive and Expend Funds for Preliminary Design, Planning and Cost-Estimating of Major Capital Expenditure Projects.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Ammiano, Daly

050920 **[San Francisco Capital Planning Plan and Committee]**
Supervisor Elsbernd

Ordinance amending the San Francisco Administrative Code by repealing Sections 3.20, 3.21, 3.22 and 3.23 in their entirety; adding new Sections 3.20 and 3.21 to establish a requirement for a ten-year capital plan and to replace the Capital Improvements Advisory Committee with the Capital Planning Committee, to assign administrative responsibilities to the City Administrator, to broaden committee membership, and to clarify the committee's mission.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly

Recommendations of the Rules Committee

051284 **[Confirming the Appointment of Kimberly Brandon to the San Francisco Port Commission]**
Mayor

Resolution confirming the appointment of Kimberly Brandon to the San Francisco Port Commission, term ending May 1, 2009.

Resolution No. 596-05
ADOPTED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051367 **[Appointment - Entertainment Commission]**
Motion appointing Erik Joseph Pred, term ending July 1, 2009, to the Entertainment Commission.

Erik Joseph Pred, succeeding himself, term expired, seat 3, must represent the interests of the public health community, for the unexpired portion of a four-year term ending July 1, 2009.

Motion No. M05-106
APPROVED by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051254 **[Appointment - Board of Appeals, Katharine Albright]**

Motion approving the Mayor's appointment of Katharine Albright to the Board of Appeals for the term ending July 1, 2008. (Clerk of the Board)

(Section 4.106 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved; companion measure to File 051255.)

Transmittal date - June 28, 2005.

Motion No. M05-105

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use Committee

050864 **[Rincon Hill Area Plan; Imposing Development Fees]**
Supervisor McGoldrick

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees totalling $11 per square foot on residential development in the DTR districts to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure, and to impose an additional Rincon Hill development impact fee totalling $14 per square foot on residential development over 85 feet in height in the Rincon Hill Plan Area to create the Rincon Hill Mitigation Fund to fund affordable housing, to address impacts on citywide infrastructure such as open space, street improvements, and community facilities, and to address economic and community impacts on the SOMA community, and making findings; amending the Zoning Map of the City and County of San Francisco to change Maps 1, 1H, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; and amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing), Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section 207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

Supervisor Sandoval, seconded by Supervisor Mirkarimi, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, McGoldrick

SPECIAL ORDER 3:00 P.M.

051242 **[Hearing - "Noe Valley Community Benefit District (CBD)"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.
Speakers in support of the Community Benefit District:
Bob Roddick, Debra Neiman, Robert Ramsey, Bill Yenne, Carol Yenne, Male speaker, Rob Evans, Ernestine Weiss, Gia Grant
Speakers Opposed to the Community Benefit District:
Robert Hildreth, Ella Ento,

The President requested the Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.

The Clerk of the Board informed the President that the Department of Elections had finished processing the ballots submitted.
The President declared the Public Hearing closed.

Tabulation of the ballots cast began by the Department of Elections.
HEARD AT PUBLIC HEARING.

051185 **[Resolution to establish the Noe Valley Community Benefit District]**
Supervisor Dufty

Resolution establishing a property-based business improvement district to be known as the "Noe Valley Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

The Clerk of the Board announced the tabulations of the Noe Valley Community Benefit District
Voting For: 36.35%
Voting Against: 27.41%

Resolution No. 583-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051244 **[Hearing - "Castro/Upper Market Community Benefit District (CBD"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.
Speakers in support of the Community Benefit District:
Paul Moffett, Gustavo Serina, Herb Cohn, Richard Magary, Eric Mann, Jane Warner, Michael Nulty, Terry Mashow, Leann Bauman, Gia Grant, Ernestine Weiss
Speakers Opposed to the Community Benefit District:
There were none.

The President requested Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.

The Clerk of the Board informed the President that the Department of Elections had finished processing the ballots submitted.
The President declared the Public Hearing closed.

Tabulation of the ballots cast began by the Department of Elections.
HEARD AT PUBLIC HEARING.

051187 **[Resolution to establish the Castro/Upper Market Community Benefit District]**
Supervisor Dufty

Resolution establishing a property-based business improvement district to be known as the "Castro/Upper Market Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

The Clerk of the Board announced the tabulations of the Castro/Upper Market Community Benefit District
Voting For: 40.53%
Voting Against: 21.82 %

Resolution No. 582-05

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051245 **[Hearing - "North of Market/Tenderloin Community Benefit District (CBD)"]**

Hearing of persons interested in or objecting to proposed resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.
Speakers in support of the Community Benefit District:
Antoinetta, Mr. Allen, David Overdoorf, David Cole, Robert Smith, Geoffrey Grear, Carmela Gold, Mr. Leroy Looper, Randy Shaw, Joe Kaplan, Michael Nulty, John Nulty, Claire Bohman, Joe Cha, Tom Murray, Sam Dodge, Tom Lorentzen, David Seward, Diego Sanchez, Bruce Allison, Byron Yee, Regina Guggehiem, Ahn Nguyen, Art Evans, Mr. Owen, Richard Allman, Female speaker, Randy Shaw Valencia, Gia Grant, Elaine Zamora, Female speaker, Lea Curry, Michael Barquera, Adam Duffy, Ernestine Weiss, Sr. Carmen Barsetti, Pete Williams
Speakers Opposed to the Community Benefit District:
Rich Postal, Chaplain Earl Rodgers, David Brillant for Gerda Kircher, Gerda Kircher, Vikki Vlazakis, Yiota Pataris

The President requested the Clerk of the Board to contact the Department of Elections and ask if the processing of the submitted ballots had been completed.

The Clerk of the Board informed the President that the Department of Elections had finished processing the ballots submitted.
The President declared the Public Hearing closed.

Tabulation of the ballots cast began by the Department of Elections.
HEARD AT PUBLIC HEARING.

051192 **[Resolution to establish the North of Market/Tenderloin Community Benefit District]**
Supervisor Daly

Resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Continued to August 9, 2005

Supervisor Sandoval, seconded by Supervisor Alioto-Pier, moved that this Resolution be CONTINUED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

It was decided to to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Charo declaring it Charo Week in San Francisco.

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Alec Mazo the winner of Dancing with the Stars.

COMMITTEE REPORTS

050935 **[Authorizing permits to exempt itinerant School District teachers and administrators from Residential Parking Permit regulations]**
Supervisors Ammiano, Mirkarimi, Ma

Ordinance amending the San Francisco Traffic Code by amending section 308.3 to authorize the Director of Parking and Traffic to issue permits that would exempt itinerant teachers and designated school administrators employed by the San Francisco Unified School District from Residential Permit Parking regulations, and setting a fee for such permits.

Supervisor Ma requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051036 **[0.25% Sales Tax Increase for Emergency Health Services]**
Supervisors Daly, Peskin, Ammiano, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval, Dufty

Ordinance amending the San Francisco Business and Tax Regulations Code to add Article 16-A to impose a transactions and use tax at the rate of one-quarter of one percent (0.25%) in accordance with Parts 1.6 and 1.7 of Division 2 of the California Revenue and Taxation Code, for the purpose of providing additional support for emergency medical, hospital inpatient, outpatient, public health, mental health and substance abuse services to residents of the City and County of San Francisco; directing submission of the tax for voter approval at election and setting forth the ballot question therefor.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051247 **[Golden Gate Park Music Concourse - Surface Circulation Plan]**
Supervisors Mirkarimi, McGoldrick, Peskin

Resolution approving the Golden Gate Park Music Concourse Surface Circulation Plan known as Option 2A, which prohibits the use of the Music Concourse for cut-through automobile traffic and provides for vehicular drop-off for visitors to the Concourse from the north and south; making environmental and other findings; and authorizing official acts in connection with this approval.

Resolution No. 603-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Michael Nulty, expressed concern with the process of liquor licenses
Male speaker, requested the Board to amend File No. 051345
Marilyn Amini, requested the Board to sever and amend File No. 051345
James Chaffee; expressed concern with issues relating to the SF Library
John Nulty; requested the Board to approve File No. 051360
Female speaker; requested the Board to amend File No. 051345
Judy Berkowitz; showed interest in File No. 051345

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

051360 **[Legislative Analyst Request - Means Testing]**
Supervisor Elsbernd

Motion requesting the Legislative Analyst to survey means testing legislation for rent control in New York City, Boston and other municipalities in Massachusetts, and determine how means testing could be applied to the San Francisco Rent Control Ordinance.

Continued to February 7, 2006

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 6 - Ammiano, Daly, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 5 - Alioto-Pier, Dufty, Elsbernd, Ma, McGoldrick

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051362 **[Amending Community Choice Aggregation Citizens Advisory Task Force Membership]**
Supervisor Ammiano

Resolution amending the membership of the Community Choice Aggregation Citizens Advisory Task Force to require that the Environmental Justice Advocate reside in the "Southeast sector" of San Francisco instead of "Hunter's Point".

Resolution No. 593-05
ADOPTED

051363 **[Commending Mujeres Unidas y Activas (MUA)]**
Supervisors Dufty, Ammiano, Daly

Resolution commending Mujeres Unidas y Activas (MUA) for its work to organize and empower Latina immigrants, and wishing the organization continued success on its 15th Birthday.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 592-05
ADOPTED

051364 **[Commemorating the 60th Anniversary of the Bombings of Hiroshima and Nagasaki]**
Supervisors Mirkarimi, Daly

Resolution commemorating the 60th Anniversary of the United States bombings of Hiroshima and Nagasaki, expressing solidarity with the Hibakusha, acknowledging the human suffering of victims and survivors, and imploring all nations to use all diplomatic and preventive efforts to cease the proliferation and use of nuclear weapons.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 591-05
ADOPTED

051365 **[Violence Against Women Act]**
Supervisor Ma

Resolution urging the San Francisco Congressional delegation to support the reauthorization of the Violence Against Women Act.

Resolution No. 587-05
ADOPTED

051366 **[National Health Center Week]**
Supervisor Ma

Resolution recognizing August 7-13, 2005 as "National Health Center Week" in the City and County of San Francisco.

Resolution No. 590-05
ADOPTED

051371 **[Supporting Filipino Veterans Equity Act]**
Supervisors Peskin, Daly

Resolution urging the President and the Congress of the United States of America to honor the contributions of Filipino World War II veterans by passing the Filipino Veterans Equity Act, specifically HR 302 and S 146.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 604-05
ADOPTED

051372 **[Urging Urban Outfitters, Inc. to Discontinue Selling Racially Offensive Merchandise]**
Supervisors Sandoval, Mirkarimi, Daly

Resolution urging Urban Outfitters, Inc. to discontinue selling a line of racially offensive T-shirts with the slogan "New Mexico, Cleaner Than Regular Mexico" and remove the currently stocked merchandise from Urban Outfitters stores.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 586-05
ADOPTED

051356 **[Needle Exchange Emergency]**
Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M05-107
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Severed from the Without Committee Reference

Supervisor McGoldrick requested that this matter be severed so that it might be considered separately.

051345 **[Zoning - Extension of Planning Commission Review Period]**
Supervisor McGoldrick

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the Administrative Code to add Chapter 36 to establish uniform procedures for developing comprehensive neighborhood plans (the "Better Neighborhoods Planning and Implementation Process"); to Administrative Code Section 3.4 to provide for integrated Better Neighborhoods Plan budget documents, and to amend the Planning Code to add Section 312A regarding discretionary review for projects proposed in Better Neighborhoods Plan areas.

Amended on page 2, line 5, to extend to Planning Commission's response to September 15, 2005.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Resolution No. 594-05

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Mirkarimi requested that this matter be severed so that it might be considered separately.

051346 **[Urging support for Preservation and Restoration of Sacred Heart Church]**
Supervisors Mirkarimi, Daly

Resolution urging the Department of Building Inspection and the San Francisco Archdiocese to diligently monitor the status and condition of the historic Sacred Heart Church and expressing support for preserving this historical treasure through all means possible.

Supervisor Daly requested to be added as a co-sponsor.

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Resolution be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Ma, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Ma, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051383 **[Proclaiming Friday, August 5, 2005 as DeLavallade Family Day in San Francisco]**
Supervisor Maxwell

Resolution proclaiming August 5, 2005 as DeLavallade Family Day in San Francisco.

Resolution No. 588-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors

Ordinances

051380 **[Interdepartmental jurisdictional transfer of property]**
Supervisors Dufty, Sandoval

Ordinance transferring jurisdiction of certain unimproved real property located on Roosevelt Way and Henry Street (Block 2612, Lot 50) from the Mayor's Office of Housing to the Recreation and Park Department.
8/2/05, RECEIVED AND ASSIGNED to Land Use Committee.

051382 **[Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) - include Entertainment Commission and Emergency Medical Services in review process]**
Supervisor Daly

Ordinance amending San Francisco Traffic Code Section 800 to include the Entertainment Commission as part of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT); amending Section 801 to require emergency medical services plans for "major events" and the inclusion of the Director of Emergency Medical Services and Emergency Operations Section (EMSEO) in approval process for major event applications; amending Section 802 to expand definition of "major events" to include street fairs; amending Section 804 to require Clerk of the Board of Supervisors to transmit copies of any legislation approving a temporary street closing for major events to the Director of EMSEO; amending Section 806 to include the Executive Director of the Entertainment Commission in the review process of applications for temporary use of streets for street fairs; amending San Francisco Administrative Code Section 90.4 to require permit applicants for major events to submit an emergency medical services plan to the Entertainment Commission for consideration in the approval of permit applications for major events.
8/2/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/1/2005.

051034 **[Prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin]**
Supervisors Ma, Dufty, Daly, Sandoval

Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.
6/7/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.
8/2/05, CALLED FROM COMMITTEE. Pursuant to Rule 5.31, Supervisor Daly called this measure from City Operations and Neighborhood Services Committee.

Resolutions

051381 **[Potrero-Hunters Point 115 kV Cable Project Property License]**
Supervisor Maxwell

Resolution approving Port License No. 13873, a non-exclusive sixty-six (66) year license between the Port and Pacific Gas and Electric Company (PG&E) for the use of Port property along the route for the Potrero-Hunters Point 115 kV Cable Project, in the vicinity of Illinois Street, 23rd Street, Tennessee Street, Marin Street and Evans Avenue, between Selby and Third Street.
8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051383 **[Proclaiming Friday, August 5, 2005 as DeLavallade Family Day in San Francisco]**
Supervisor Maxwell

Resolution proclaiming August 5, 2005 as DeLavallade Family Day in San Francisco.
8/2/05, ADOPTED.

051384 **[AIDS Pandemic in Brazil]**
Supervisors Ammiano, Daly, Mirkarimi, Dufty

Resolution urging Abbott, Merck and Gilead corporations to expedite the issuance of voluntary AIDS/HIV drug licenses to the country of Brazil in order to save tens of millions of lives in Brazil and throughout the developing world and to raise the standard of corporate global citizenship and exemplify extraordinary compassion in corporate business practices that will contribute to mitigation of the worldwide AIDS/HIV pandemic.
8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051385 **[Commending National Night Out and declaring August 2, 2005, as "National Night Out Day" in the City and County of San Francisco]**
Supervisor Ma

Resolution commending National Night Out for the relationships and partnerships it has built in our communities and declaring August 2, 2005, to be "National Night Out Day" in the City and County of San Francisco.
8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051386 **[San Francisco City Hall Docent Day]**
Supervisors Peskin, Elsbernd

Resolution declaring September 27, 2005, "San Francisco City Hall Docent Day" in San Francisco.
8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051389 **[Commending the Horizons Foundation of San Francisco for its work serving the Lesbian, Gay, Bisexual, and Transgender people and organizations of San Francisco]**
Supervisors Sandoval, Dufty

Resolution commending Horizons Foundation of San Francisco for its work serving the lesbian, gay, bisexual, and transgender community of San Francisco on the occasion of its 25th anniversary.
8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051387 **[Temporary Occupancy of Commercial Vehicle Parking Meters]**
Supervisor Peskin

Resolution enacting temporary occupancy of a portion of the commercial vehicle parking meters on the north side of Post Street between Kearny and Montgomery from 8:30 am to 5:00 pm on every Thursday beginning July 14, 2005 through November 30, 2005.
8/2/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 08/05/05 - Referred to Parking and Traffic for review and determination of environmental impact.
08/15/05 - Response received from Planning, Exempt from evironmental review.

Motion

051388 **[Authorizing preparation of Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 8, 2005 Election]**
Supervisor Peskin

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 8, 2005 Election.
8/2/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

051065 **[Zoning Map Amendment for 425 Mason Street]**
Ordinance amending the San Francisco Planning Code by amending Sectional Map 1 of the Zoning Map of the City and County of San Francisco to change the use classification of the property located at 425 Mason Street, and identified as Assessor's Block No. 0306, Lot No. 002, from a zoning designation of P (Public) to C-3-G (Downtown General Commercial); and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)
7/25/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/1/2005.

051349 **[Settlement of Lawsuit - Shao Xi Tan]**
Ordinance authorizing settlement of the lawsuit filed by Shao Xi Tan against the City and County of San Francisco for $80,000; the lawsuit was filed on August 22, 2003 in the United States District Court, Case No. C03-3907 MMC; entitled Shao Xi Tan, et al. v. City and County of San Francisco, et al. (City Attorney)
7/22/05, RECEIVED AND ASSIGNED to Rules Committee.

051350 **[Settlement of Lawsuit - San Francisco Bay Area Transit District]**
Ordinance approving settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total value of $2,750,000. (City Attorney)
7/22/05, RECEIVED AND ASSIGNED to Rules Committee.

051354 **[Settlement of Lawsuit - George Q. Chen]**
Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against George Q. Chen, for a payment to the Airport in the amount of $113,800.00, and on certain other terms; the lawsuit was filed on December 1, 2003, in United States Bankruptcy Court for the Northern District of California, Adversary Case No. 03-3713 DM and entitled City and County of San Francisco v. George Q. Chen. (City Attorney)
7/25/05, RECEIVED AND ASSIGNED to Rules Committee. Department requests this matter be scheduled for consideration at the August 3, 2005 meeting.

051398 **[Mission Bay South – Ordering Street Vacation of portions of Fourth Street]**
Ordinance ordering the vacation of two (2) portions of Fourth Street from Third Street north to Channel Street; authorizing a grant in fee title of the City and County of San Francisco's rights and interest in the vacated areas to FOCIL; authorizing reservations of certain utility easements in the vacated areas; adopting findings that such vacation of Fourth Street is consistent with the City General Plan and eight policies of City Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; adopting findings pursuant to the California Environmental Quality Act (CEQA); accepting Department of Public Works Order No. 175,536; and authorizing official acts in connection with this Ordinance. (Public Works Department)
7/25/05, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

051308 **[Special Assessment of Liens for Assessment of Costs]**
Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., Section 108, Section 110 - Tables 1-K, and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Building Inspection Department)
7/22/05, SCHEDULED FOR PUBLIC HEARING. Scheduled for August 9, 2005, at 3:00 p.m.

051351 **[Settlement of Claim - Andrea Runge]**
Resolution approving the settlement of the unlitigated claim by Andrea Runge against the City and County of San Francisco and Michael Scott for $45,000. (City Attorney)
7/22/05, RECEIVED AND ASSIGNED to Rules Committee.

051352 **[Outreach Advertising]**
Resolution designating El Reportero to be the outreach newspaper of the City and County of San Francisco for the Hispanic community; and, the San Francisco Bay View to be the outreach newspaper of the City for the African American community to provide outreach advertising services for the fiscal year commencing upon Board of Supervisors and Mayoral approval and ending June 30, 2006.
7/22/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051397 **[Mission Bay South - Street Vacation of Portions of Fourth Street]**
Resolution declaring the intention of the Board of Supervisors to vacate two (2) portions of Fourth Street within Mission Bay South from Third Street north to Channel Street; setting the hearing date for all persons interested in the proposed vacation of the street area; adopting findings that the proposed vacation is consistent with the San Francisco General Plan and eight priority policies of San Francisco Planning Code Section 101.1 and the Mission Bay South Redevelopment Plan; and making environmental findings. (Public Works Department)
7/25/05, RECEIVED AND ASSIGNED to Land Use Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Parking and Traffic
Requesting/Inquiring: Requesting the results of the study conducted by the Department of Parking and Traffic on the timing of the light at Laguna Street crossing Geary Boulevard, and what steps the Department intends to take in order to mitigate dangerous conditions present due to a recent death in that intersection that might expose the City.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the repair of a pothole at Linden and Buchanan behind the Hayes Valley Playground.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the repair of a pothole at 595 Grove.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of the repair of a pothole at 409 Laguna Street.

From: Supervisor Dufty
To: San Francisco Recreation and Park Commission
Requesting/Inquiring: Requesting the San Francisco Recreation and Park Commission to consider revising the Camp Mather Application due date and decision announcement date. San Francisco families believe that shifting both dates at least one month earlier would enable better summer planning. Additionally, request that a copy of this letter be transmitted to Mayor Gavin Newsom.

In Memoriams

Catherine "Kitty" Ammiro - Supervisor Ma
Officer Nels "Dan" Neimi - Entire Board
Jerry Deal - Supervisor Ammiano
Yoneko Sasaki - Supervisor Mirkarimi
Jermaine Williams - Supervisor Mirkarimi
Kenneth Ford - Supervisor Mirkarimi
Flossie Robinson - Supervisor Maxwell
Amy Esther Chamberlain - Michela Alioto-Pier

ADJOURNMENT

There being no further business the Board adjourned at the hour of 6:53 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 6, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

SF
590
.72
9/9/05

DOCUMENTS DEPT.
OCT - 4 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, August 9, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Ross Mirkarimi,*

Aaron Peskin, Gerardo Sandoval.

Members Excused: *Tom Ammiano.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll Supervisor Ammiano was noted absent.

Supervisor Ammiano was previously excused from attending today's meeting. (See Infra)

Quorum present.

Supervisor Ammiano Excused from Attendance

Supervisor Elsbernd, seconded by Supervisor Mirkarimi, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

APPROVAL OF MEETING MINUTES

Supervisor Elsbernd, seconded by Supervisor Dufty, moved to approve the July 12, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

CONSENT AGENDA

Recommendations of Budget and Finance Committee

050935 **[Authorizing permits to exempt itinerant School District teachers and administrators from Residential Parking Permit regulations]** — **Supervisors Ammiano, Mirkarimi, Ma**

Ordinance amending the San Francisco Traffic Code by amending section 308.3 to authorize the Director of Parking and Traffic to issue permits that would exempt itinerant teachers and designated school administrators employed by the San Francisco Unified School District from Residential

Douglas Cox and David C. Kapp for DECO Lounge will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 605-05
ADOPTED

051059 **[Liquor License, Two Embarcadero Center - Street Level in the Financial District]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Mark A. Dirsa, for WINE located at Two Embarcadero Center - Street Level, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 617-05
ADOPTED

051195 **[Liquor License, 2001 Polk Street]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 2458 Polk Street to 2001 Polk Street to Ray Bair for Cheese Plus will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 619-05
ADOPTED

Severed from the Consent Agenda

Supervisor Ma requested that this matter be severed so that it might be considered separately

Supervisor Ma Excused from Voting

Supervisor Dufty, seconded by Supervisor Elsbernd, moved. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, Ma

Douglas Cox and David C. Kapp for DECO Lounge will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 605-05
ADOPTED

051059 **[Liquor License, Two Embarcadero Center - Street Level in the Financial District]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Mark A. Dirsa, for WINE located at Two Embarcadero Center - Street Level, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 617-05
ADOPTED

051195 **[Liquor License, 2001 Polk Street]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 2458 Polk Street to 2001 Polk Street to Ray Bair for Cheese Plus will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 619-05
ADOPTED

Severed from the Consent Agenda

Supervisor Ma requested that this matter be severed so that it might be considered separately

Supervisor Ma Excused from Voting

Supervisor Dufty, seconded by Supervisor Elsbernd, moved. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, Ma

Permit Parking regulations, and setting a fee for such permits.

Enacted Number: 207-05
FINALLY PASSED

051191 [Airport Food and Beverage Lease]
Resolution approving the Terminal 1 Casual Dining & Bar Lease between WSE Group, Inc., and the City and County of San Francisco, acting by and through its Airport Commission.

Enacted Number: 618-05
ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

050219 [Creation of Motorcycle Only Parking Zones] Supervisor Mirkarimi
Resolution designating motorcycle only parking zones at curb spaces fronting the properties of 1015 Irving Street, 1365 9th Avenue, 1367 9th Avenue, 1300 8th Avenue, 1299 8th Avenue, and 1271 9th Avenue on a twenty-four hour, seven day a week basis and requiring appropriate signage.

Enacted Number: 614-05
ADOPTED

050849 [Liquor License, 377 Hayes Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1449 Lombard Street to 377 Hayes Street to David M. Bass and Mi Hui Bass for Sugar Lounge will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 615-05
ADOPTED

050950 [Liquor License, 510 Larkin Street]
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 1312 Polk Street to 510 Larkin Street to Paul Xavier,

Douglas Cox and David C. Kapp for DECO Lounge will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 605-05
ADOPTED

051059 [Liquor License, Two Embarcadero Center - Street Level in the Financial District]

Resolution determining that the issuance of a Type 42 on-sale beer and wine license to Mark A. Dirsa, for WINE located at Two Embarcadero Center - Street Level, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 617-05
ADOPTED

051195 [Liquor License, 2001 Polk Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 2458 Polk Street to 2001 Polk Street to Ray Bair for Cheese Plus will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 619-05
ADOPTED

Severed from the Consent Agenda

Supervisor Ma requested that this matter be severed so that it might be considered separately

Supervisor Ma Excused from Voting

Supervisor Dufty, seconded by Supervisor Elsbernd, moved. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, Ma

051258 [Golf Fees - Cost of Living, McLaren Park] Supervisor McGoldrick

Ordinance making environmental findings and amending the San Francisco Park Code, Article 12, by amending Sec. 12.20 to authorize an annual cost of living increase in golf fees; and adding Sec. 12.37 to establish fees for Gleneagles Course at McLaren Park.

Enacted Number: 208-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 2 - Ammiano, Ma

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Subcommittee

050865 [Rincon Hill Area Plan: Imposing development impact fees for the provision of necessary community infrastructure in DTR Districts] Supervisor Daly

Ordinance amending the Planning Code by adding Section 318 to impose community improvement impact fees of $11 per square foot on residential development in the DTR districts and surrounding areas to provide necessary community improvements and enhance property values in the district by helping to fund the construction and reconstruction of streets, streetscaping, parks, community centers, and other public infrastructure, to impose a SOMA community stabilization impact fee of $14 per square foot on residential development in the Rincon Hill Area Plan to provide community stabilization benefits in SOMA including affordable housing, economic development and community cohesion; amending the Zoning Map of the City and County of San Francisco to change Maps 1, 1H, and 1SU for the area generally bounded by Folsom Street to the north, The Embarcadero to the east, Bryant Street and the north side of the Bay Bridge to the south, and Essex Street to the west for the blocks and lots described below; and amending the San Francisco Planning Code by adding Sections 825, 825.1, 826, and 827 to create Downtown Residential (DTR) districts, establish DTR districts in Transbay and Rincon Hill, and specify the uses permitted in Downtown Residential districts; by adding Sections 145.4, 151.1, 152.2, 155.5, 166, 167, 175.7 and 263.19 to impose requirements for street frontages, permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, separating parking costs from housing costs, exempting certain pipeline projects from the new controls, and limiting podium and tower heights in the R bulk district; by adding Section 309.1 establishing procedures for permit review in DTR districts; and by amending Section 102.5 (District), Section 135 (Usable Open Space for Dwelling Units and Group Housing),

Section 141 (Screening of Rooftop Features), Section 151 (Required Off-Street Parking Spaces), Section 152 (Schedule of Required Off-Street Freight Loading Spaces in Districts Other Than C-3 or South of Market), Section 153 (Rules for Calculation of Required Spaces), Section 154 (Dimensions for Off-Street Parking, Freight Loading and Service Vehicle Spaces), Section 155 (General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities), Section 182 (Nonconforming Uses), Section 201 (Classes of Use Districts), Section 207.5 (Density of Dwelling Units in Mixed Use Districts), Section 209 (Uses Permitted in R Districts), Section 249.1 (Rincon Hill Special use District), Section 260 (Height Limits; Measurement), Section 270 (Bulk Limits; Measurement), Section 608.13 (Rincon Hill Area), Section 802.1 (Mixed Use Districts), Section 803 (Mixed Use District Requirements), Section 803.5 (Additional Provisions Governing Uses in Mixed Use Districts), and Section 809 (Guide to Understanding the Mixed Use District Zoning Controls) to conform these sections with the new DTR district controls; adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.and making findings.
Version 4. (Planning Department)

Enacted Number: 217-05

FINALLY PASSED by the following vote:

Ayes: 8 - Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Alioto-Pier, Elsbernd
Excused: 1 - Ammiano

Recommendations of the Government Audit and Oversight Committee

050919 **[Capital Planning Fund]** **Supervisor Elsbernd**

Ordinance establishing a Capital Planning Fund to Receive and Expend Funds for Preliminary Design, Planning and Cost-Estimating of Major Capital Expenditure Projects.

Enacted Number: 215-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Ammiano

050920 **[San Francisco Capital Planning Plan and Committee]** **Supervisor Elsbernd**

Ordinance amending the San Francisco Administrative Code by repealing Sections 3.20, 3.21, 3.22 and 3.23 in their entirety; adding new Sections 3.20 and 3.21 to establish a requirement for a ten-year capital plan and to replace the Capital Improvements Advisory Committee with the Capital

Planning Committee, to assign administrative responsibilities to the City Administrator, to broaden committee membership, and to clarify the committee's mission.

Enacted Number: 216-05

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Daly
Excused: 1 - Ammiano

From the Board

051192 **[Resolution to establish the North of Market/Tenderloin Community Benefit District]** **Supervisor Daly**

Resolution establishing a property-based business improvement district to be known as the "North of Market/Tenderloin Community Benefit District (CBD)," ordering the levy and collection of assessments against property located in that district for 15 years, commencing with fiscal year 2005-2006, and making environmental findings.

The Clerk of the Board announced the tabulations of the North Of Market/Tenderloin Community Benefit District.

Voting For: 40.97%

Voting Against: 21.73%

Enacted Number: 584-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051220 **[Parking Fine Penalty Schedule]**

Ordinance amending San Francisco Traffic Code Section 132 to reference the correct California Vehicle Code subsection for covering a license plate. (Parking and Traffic Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051231 **[Department of Building Inspection Cash Revolving Fund]**

Ordinance amending San Francisco Administrative Code Section 10.135 to increase the Cash Revolving Fund of the Department of Building Inspection from $200 to $600.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

050850 **[Emergency Construction Contract]**

Resolution requesting the Board of Supervisors to approve the expenditure of funds for emergency slope and drainage repair at the SFPUC Harry Tracy Water Treatment Plant, in the amount of $2.5 million. (Public Utilities Commission)

(Fiscal impact.)

Enacted Number: 616-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendation of the City Operations and Neighborhood Services Committee

050591 **[Inclusion of transit, pedestrian, and bicycle improvements as part of street improvement projects]** Supervisor Mirkarimi

Ordinance amending the Public Works Code to add Section 2.4.13 to require the integration of transit, pedestrian, and bicycle improvements as part of the planning, construction, reconstruction, or repaving of public right-of-ways.

AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 7 - Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Peskin
Excused: 1 - Ammiano

Recommendations of the Land Use Committee

Appointment of President Pro Tempore

At the request of the President, Supervisor Ma assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

051333 **[Tourist Hotel Conversion]** **Supervisors Peskin, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval**

Ordinance amending the San Francisco Administrative Code to add Chapter 41F to prohibit the conversion of existing tourist hotel structures with 100 or more tourist guest rooms to condominium projects or dwelling units, with certain exceptions; and adopting findings, including environmental findings.

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051219 **[Freeway Maintenance Agreement for Central Freeway Replacement Project]**

Resolution authorizing the City and County of San Francisco's Director of Public Works to execute a Freeway Maintenance Agreement with the State of California, acting by and through its Department of Transportation apportioning maintenance responsibilities for the Central Freeway Replacement Project. (Public Works Department)

Enacted Number: 620-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051128 **[Designate 1110 Taylor Street, the Glazer-Keating as a Landmark]** **Supervisor Peskin**

Ordinance Designating 1110 Taylor Street, the Glazer-Keating House, As Landmark No. 251 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

050851 **[Vacation of a portion of Bernal Heights Boulevard]**

Resolution declaring the intention of the Board of Supervisors to vacate a portion of Bernal Heights Boulevard west of Moultrie Street and transfer jurisdiction from the Department of Public Works to the Recreation and Park Department; setting the hearing date, September 13, 2005 at 3:00 p.m., for all persons interested in the proposed vacation of the street vacation area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Real Estate Department)

Enacted Number: 611-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

From the Land Use Committee Without Recommendation

050852 **[Ordering the vacation of a portion of Bernal Heights Boulevard]**

Ordinance ordering the vacation of a portion of Bernal Heights Boulevard west of Moultrie Street; transferring jurisdiction from the Department of Public Works to the Recreation and Park Department; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the Eight Priority Policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance. (Real Estate Department)

(To be heard at a public hearing on September 13, 2005 at 3:00 p.m.)

Continued to September 13, 2005 at 3:00 p.m.

Supervisor Elsbernd, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Called From the City Operations and Neighborhood Services Committee

051034 **[Prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin]** — **Supervisors Ma, Dufty, Daly, Sandoval**

Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

Continued to August 16, 2005

Supervisor Sandoval requested to be added as a co-sponsor.

Supervisor Daly moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 3:00 P.M

051307 **[Public Hearing]**

Hearing of persons interested in or objecting to report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., Section 108, Section 110 - Tables 1-K, and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Bob Noelke, and Leo McFadden, representatives from the Department of Building Inspection.

Jay Wong, Property Owner 505 -26th Avenue, Property Owner, 737 London Street, Joan Class Levin, Property owner of property located on the Filbert steps.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

051308 **[Special Assessment of Liens for Assessment of Costs]**

Resolution confirming report of Delinquent Charges for Code Enforcement cases with Delinquent Assessment of Costs, and Fees pursuant to the provisions of Section 102.3, 102.12, 102.17, 102.18, 102.19 et Seq., Section 108, Section 110 - Tables 1-K, and 1-G, and Sections 3407.7.1.3, 3407.7.1.4, 3407.7.1.5, and 3407.7.1.6 et seq., of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Building Inspection Department)

Enacted Number: 609-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051309 **[Public Hearing]**

Hearing of persons interested in or objecting to report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Scott Nakamura, representative of the Department of Public Health.

There were no speakers from the public.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

051310 **[Unpaid DPH complaint reinspection fee liens to become special assessments to the property taxes]**

Resolution confirming the report of delinquent reinspection fee costs submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating liens and special assessments based thereon. (Public Health Department)

Enacted Number: 612-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051318 **[Public Hearing]**

Hearing of persons interested in or objecting to report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

There were no speakers from the public.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

051319 **[Unpaid DPH Delinquent Refuse Service payment liens to become special assessments to the property taxes]**

Resolution confirming report of delinquent charges for refuse collection service and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating Special Assessments and liens based thereon. (Public Health Department)

Enacted Number: 613-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 3:30 P.M

050971 **[Public Hearing]**

Hearing of persons interested in or objecting to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Harry Gulbengay, representative of the Department of Public Works

Property owner of 411-15th Avenue.

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

050972 **[Report of assessment costs for sidewalk and curb repairs]**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund. (Public Works Department)

(DPW Order No. 175, 630; Locations: 131-133 Carl Street; 201 Capra Way; 411-15th Avenue.)

Enacted Number: 610-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Sandoval, seconded by Supervisor Daly, moved to rescind the previous vote.

Amended by deleting the property located at 131-133 Carl Street from the sidewalk assessment costs report.

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved that this Resolution be ADOPTED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Supervisor Sandoval, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Privilege of the Floor

Supervisor Sandoval introduced, welcomed and presented Certificate of Honors to members of the Mission Council's Intensive Outpatient Program.

Supervisor Peskin, introduced, welcomed and presented a Certificate of Honor to coordinators of the "Maori Art Meets America" art exihibit.

SPECIAL ORDER 4:00 P.M.

051222 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 899 North Point Street]**

Hearing of persons interested in or objecting to the decision of the Planning Department dated April 22, 2005, exempting from environmental review under Categorical Exemption, State CEQA Guidelines Sections 15303(b) and General Rule Exclusion, under CEQA Guidelines Section 15061(b)(3). The proposed project would involve the demolition of a vacant gas station building, approximately 1,650 square feet in size, and construction of a four-story, five-unit residential building. The proposed project would provide seven off-street parking spaces on the ground floor. Entrance and access to the residential units would be from Larkin Street and vehicular entrance and access would be from North Point Street. The project site at 899 North Point Street (Assessor's Block 0026, Lot 020) is approximately 5,469 square feet in size and located on the southeastern corner of North Point and Larkin Streets in the Russian Hill neighborhood on the block bounded by Larkin, North Point, Hyde and Bay Streets. The project site is zoned RH-3 (Residential, House, Three-Family) and is within a 40-X height and bulk district. The project site is also located in the Waterfront Special Use District No. 2, per Section 240.2 of the San Francisco Planning Code. (Appellant: Stephen M. Williams.)

(Filed June 17, 2005; companion measure to Files 051223, 051224, 051225; District 2.)

The President inquired as to whether or not any member of the public wished to address the Board.

Continued to September 20, 2005

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051223 **[Affirming the categorical exemption issued for 899 North Point Street]**

Motion affirming the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051224 **[Disapproving the categorical exemption issued for 899 North Point Street]**

Motion disapproving the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051225 **[Preparation of findings related to the categorical exemption issued for 899 North Point Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 899 North Point Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Continued to September 20, 2005

Supervisor Alioto-Pier, seconded by Supervisor Maxwell, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 4:00 P.M.

051320 **[Public Hearing - Appeal of Categorical Exemption from Environmental Review for 39**

Chattanooga Street]

Hearing of persons interested in or objecting to the decision of the Planning Department dated June 13, 2005 (Case No. 2003.0415E), exempting from environmental review under Categorical Exemption State CEQA Guidelines, Section(s) 15301(e)(2), Existing Facilities. The project would construct an addition to an existing single family residence without off-street parking, to accommodate two dwelling units and two parking spaces (one with independent access). The existing 840-square foot (sq.ft.), one-story-over basement, single-family residence is approximately 14 feet tall. The proposed addition would expand the existing site development to contain two dwelling units (approximately 1,299 sq.ft. and 2,695 sq.ft. = 3,994 total sq.ft., a net increase for the site of approximately 3,154 sq.ft.) The project would: (1) raise the existing one-story-over basement, single-family dwelling approximately seven feet in height, and move it forward, reducing the existing 20-foot front setback to approximately 10 feet; (2) demolish the existing rear 20-foot extension (kitchen/porch/stairs); (3) construct a new three-story-over basement addition with an allowable 12-foot extension of one-story-over basement at the rear, and; (4) establish two dwelling units on the property. The finished height of the existing building would be approximately 21 feet to the midpoint of the pitched roof. The finished height of the addition at the rear would be approximately 30 feet to the top of the sloped roof. The project would modify the front fa‡ade of the existing building to accommodate a new entrance and a nine-foot-wide garage opening. The approximately 3,250 sq. ft. project site, (Assessor's Block 3619, Lot 077), is located on the east side of Chattanooga Street, on the block bounded by Church, 21st, Dolores and 22nd Streets. The site is within an RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District. (Appellant: Susan Brandt-Hawley on behalf of Chattanooga Street/Golden Fireplug Historic District Friends.)

(Filed June 17, 2005; companion measure to Files 051321, 051322, 051323; District 8.)

The President inquired as to whether or not any member of the public wished to address the Board.

Susan Brandt-Hawley, Attorney and F. Joseph Butler, Architect for the appellant (Chattanooga Street/Golden Fireplug Historic District Friends)

Katherine Petrin, support of appellant, Nan Roth, support of appellant, Vickie Rosen, support of appellant, Susan Ruthberg, support of appellant, Glad Harris, support of appellant, Courtney Clarkson, support of appellant, Judith, support of appellant, Charlie Barren, support of appellant, Janet Macks, support of appellant, Donald Langley. support of appellant, Terry Mill, support of appellant, Pamela Faulk, support of appellant, Clifford Anderson, support of appellant, Elaine Clemson; support of appellant, Barbara Levy; support of appellant, Joe Ammorian; support of appellant, Myra Leff; support of appellant,

Sue Hestor, support of appellant

Paul Maltzer, Environmental Officer, and Neil Hart, Planning Department representatives reviewed with the Board the Planning Department's recommendation.

Steven Vittel, Attorney for project sponsor, John Williams

John Williams, Project sponsor, Bill Sagai, support of project sponsor

Rebuttal Period: Susan Brandt-Hawley, Attorney for appellant

The President declared the public hearing closed.

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the categorical exemption from environmental review described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051321 **[Affirming the categorical exemption issued for 39 Chattanooga Street]**

Motion affirming the determination by the Planning Department that the 39 Chattanooga Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051322 **[Disapproving the categorical exemption issued for 39 Chattanooga Street]**

Motion disapproving the determination by the Planning Department that the 39 Chattanooga Street project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-111

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051323 **[Preparation of findings related to the categorical exemption issued for 39 Chattanooga Street]**

Motion directing the Clerk of the Board to prepare findings related to the appeal of the determination by the Planning Department that the 39 Chattanooga Street Project is categorically exempt from environmental review under the California Environmental Quality Act. (Clerk of the Board)

Enacted Number: M05-110

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

COMMITTEE REPORTS

051005 **[Cable Television Franchise Amendments]** Mayor

Ordinance amending Ordinance No. 105-64, as amended by Ordinance Nos. 528-88, 315-89, 42-91, 42-97, and 266-99, by amending sections 1, 9, 24.3, 25, 25.5, 27.2, 31, and 32 and Appendix C to extend the term of the franchise and to clarify and expand the obligations of the Comcast of California III, Inc.

Continued to August 16, 2005

Supervisor Mirkarimi, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051006 **[Settlement of Claims - Comcast of California III, Inc.]** Mayor

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

Continued to August 16, 2005

Supervisor Mirkarimi, seconded by Supervisor Daly, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051358 **[Appropriate General Obligation Bond sale proceeds from the 2005A and 2005I series to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works]** Supervisor Elsbernd

Ordinance appropriating $39,328,014 of General Obligation Bond proceeds from the sale of the 2005A Series and appropriating, and placing on reserve, $69,000,000 from the General Obligation Bond proceeds from the 2005I Series for a total of $108,328,014 to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works for fiscal year 2005-06.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

051359 **[Laguna Honda Hospital General Obligation Bond Sale]** **Supervisor Elsbernd**

Resolution authorizing and directing the sale of an issue of not to exceed $69,000,000 City and County of San Francisco General Obligation Bonds (Laguna Honda Hospital, 1999), Series 2005I; approving the form and execution of a Declaration of Trust; approving the forms of an Official Notice of Sale and a Notice of Intention to Sell Bonds; authorizing the solicitation of competitive bids for the sale of the Bonds; approving the form, execution and distribution of an Official Statement; approving the form of and authorizing the City's compliance with a Continuing Disclosure Certificate; approving modifications to documents; ratifying certain actions previously taken; and granting general authority to city officials to take necessary actions in connection with the authorization, issuance, sale and delivery of said Bonds.

(Fiscal impact.)

Enacted Number: 585-05

ADOPTED by the following vote:

Ayes: 9 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

Pursuant to the Board of Supervisors Rule No. 3.9

Supervisor Maxwell provided the Board an update on the League of Cities on which she represents the Board of Supervisors.

PUBLIC COMMENT

Abdullah Megaheed; expressed concern with issues relating to the Iraq war and events after 9/11/01

James Chaffee; expressed concern with issues relating to the SF Library

Tom McDonagh; showed interest with issues relating to Laguna Honda Hospital

John DiDonna; showed interest with issues relating to gay liberation and

sexual liberation

Female speaker; expressed concern with issues relating to hospital and police matters

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051381 **[Potrero-Hunters Point 115 kV Cable Project Property License]** **Supervisor Maxwell**

Resolution approving Port License No. 13873, a non-exclusive sixty-six (66) year license between the Port and Pacific Gas and Electric Company (PG&E) for the use of Port property along the route for the Potrero-Hunters Point 115 kV Cable Project, in the vicinity of Illinois Street, 23rd Street, Tennessee Street, Marin Street and Evans Avenue, between Selby and Third Street.

Enacted Number: 606-05
ADOPTED

051384 **[AIDS Pandemic in Brazil]** **Supervisors Ammiano, Daly, Mirkarimi, Dufty**

Resolution urging Abbott, Merck and Gilead corporations to expedite the issuance of voluntary AIDS/HIV drug licenses to the country of Brazil in order to save tens of millions of lives in Brazil and throughout the developing world and to raise the standard of corporate global citizenship and exemplify extraordinary compassion in corporate business practices that will contribute to mitigation of the worldwide AIDS/HIV pandemic.

Enacted Number: 607-05
ADOPTED

051385 **[Commending National Night Out and declaring August 2, 2005, as "National Night Out Day" in the City and County of San Francisco]** **Supervisor Ma**

Resolution commending National Night Out for the relationships and partnerships it has built in our communities and declaring August 2, 2005, to be "National Night Out Day" in the City and County of San Francisco.

Enacted Number: 621-05
ADOPTED

051386 [San Francisco City Hall Docent Day] Supervisors Peskin, Elsbernd

Resolution declaring September 27, 2005, "San Francisco City Hall Docent Day" in San Francisco.

Supervisor Elsbernd requested to be added as a co-sponsor.

Enacted Number: 622-05

ADOPTED

051389 **[Commending the Horizons Foundation of San Francisco for its work serving the Lesbian, Gay, Bisexual, and Transgender people and organizations of San Francisco]** Supervisors Sandoval, Dufty

Resolution commending Horizons Foundation of San Francisco for its work serving the lesbian, gay, bisexual, and transgender community of San Francisco on the occasion of its 25th anniversary.

Enacted Number: 623-05

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

Severed For Adoption Without Reference to Committee

Supervisor Elsbernd requested that this matter be severed so that it might be considered separately

051388 **[Authorizing preparation of Proponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 8, 2005 Election]** Supervisor Peskin

Motion authorizing preparation of written Proponent ballot arguments and rebuttal ballot arguments for Charter Amendments and other Measures approved by the Board of Supervisors for submittal to the voters at the November 8, 2005 Election.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,

Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding] Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by Supervisor Elsbernd, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

051412 **[Commending Giants Manager Felipe Alou]** **Supervisors Daly, Sandoval**

Resolution commending San Francisco Giants Manager Felipe Alou for his stance against racist comments of Larry Krueger on KNBR and advocacy for Latino players and the Latino community.

Enacted Number: 608-05

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

051390 **[Setting San Francisco's fiscal year 2005-2006 property tax rate and establishing pass-through rate for residential tenants]** — **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for City and County purposes and establishing pass-through rate for residential tenants pursuant to Chapter 37 of the Administrative Code for the fiscal year ending June 30, 2006.

(Fiscal impact.)

8/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051391 **[Setting San Francisco Community College District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]** — **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

8/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051392 **[Setting San Francisco Unified School District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]** — **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

8/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051393 **[Setting San Francisco Bay Area Rapid Transit District's fiscal year 2005-2006 property tax rate to be included in the City's overall property tax rate]** — **Supervisor Peskin**

Ordinance providing revenue and levying property taxes for San Francisco Bay Area Rapid Transit District purposes for the fiscal year ending June 30, 2006.

(Fiscal impact.)

8/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051033 **[Additional Eligibility Requirements to Participate in Public Financing Program for Candidates for the Board of Supervisors]** **Supervisor Elsbernd**

Ordinance amending Section 1.140 of the San Francisco Campaign and Governmental Conduct Code, by amending section 1.140 to disqualify from participation in the City's public financing program any candidate who: (1) has any outstanding fines or penalties owed to the City that were imposed for violations of state or local campaign finance laws, the lobbyist ordinance, the campaign consultant ordinance, or local conflict of interest laws; (2) has not filed with the Ethics Commission any legally required campaign finance, campaign consultant, lobbyist or statement of economic interests forms; or (3) has been found by a court to have knowingly, willfully or intentionally violated state or local campaign finance laws within the previous five years.

6/7/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/7/2005.

6/15/05, REFERRED TO DEPARTMENT. Referred to Ethics Commission for review and recommendation.

8/5/05, RESPONSE RECEIVED. Commission approved proposed legislation with two amendments.

8/9/05, SUBSTITUTED. Supervisor Elsbernd submitted a substitute ordinance bearing new title.

8/9/05, ASSIGNED to Rules Committee.

051414 **[Board review required for annual or otherwise recurring grant applications of $5,000,000 or more]** **Supervisor Maxwell**

Ordinance amending Section 10.170 of the Administrative Code to require Board review of proposed annual or otherwise recurring grant applications of $5,000,000 or more prior to their submission.

8/9/05, ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 9/8/2005.

051415 **[Healthy Vending Machine Selections]** **Supervisor Ma**

Ordinance amending the Health Code by adding Section 467.1 to require that 50 percent of the beverages and snacks offered for sale through vending machines located on City property be healthy choices meeting nutrition standards as defined in the Ordinance.

8/9/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/8/2005.

051416 **[Amending the Process for Selecting Proponent and Opponent Arguments]** **Supervisor Elsbernd**

Ordinance amending Section 545 of the San Francisco Municipal Elections Code to amend the process for selecting the proponent and opponent arguments published in the Voter Information Pamphlet by: (1) establishing a new priority level for state and local elected officials registered to vote in San Francisco; (2) permitting individuals and organizations to submit only one proposed argument per measure; and (3) prohibiting any person from

being the author of more than one argument per measure.

8/9/05, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 9/8/2005.

Resolutions

051409 [Issuance and Sale of Revenue Bonds - 1030 Post Street Apartments] — Supervisor Peskin

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $7,000,000 for the financing of the acquisition and rehabilitation of the 1030 Post Street Apartments.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051410 [Parking Regulations] — Supervisor McGoldrick

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Stanyan Street, west side, from 118 feet to 275 feet south of Fulton Street

(8/4/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

8/9/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051411 [Traffic Regulations] — Supervisor McGoldrick

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT LANE MUST TURN RIGHT - RESCIND
Stanyan Street, west side, from Fulton Street to 120 feet northerly

NO LEFT TURN, 4 PM TO 6 PM - RESCIND
NO LEFT TURN, 11 AM TO 6 PM, EVERYDAY, EXCEPT TAXIS - ESTABLISH
Fulton Street, eastbound and westbound, at Stanyan Street

NO LEFT TURN - ESTABLISH
Fulton Street, eastbound, at 10th Avenue

(8/4/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

8/9/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051412 [Commending Giants Manager Felipe Alou] — Supervisors Daly, Sandoval

Resolution commending San Francisco Giants Manager Felipe Alou for his stance against racist comments of Larry Krueger on KNBR and advocacy for Latino players and the Latino community.

8/9/05, ADOPTED.

051417 **[Policy and Program Recommendations for a Community Choice Aggregation (CCA) Implementation Plan.]** — **Supervisors Mirkarimi, Ammiano, McGoldrick**

Resolution submitting Policy and Program Recommendations for a Community Choice Aggregation (CCA) Implementation Plan.

(Fiscal impact.)

8/9/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051419 **[Endorsing the Regional Measure 2 Late Night Owl Bus Service Proposal]** — **Supervisor Dufty**

Resolution endorsing the Regional Measure 2 Late Night Owl Bus Service Proposal.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051420 **[Urging the DPT to install a stop light at the intersection of Market and Hattie Streets]** — **Supervisor Dufty**

Resolution urging the Department of Parking and Traffic to install a stop light at the intersection of Market and Hattie Streets.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051421 **[Honoring Dr. Donald Abrams and the Community Consortium for their outstanding contributions to HIV/AIDS healthcare and research upon the 20th anniversary of the Consortium's establishment]** — **Supervisor Dufty**

Resolution honoring Dr. Donald Abrams and the Community Consortium for their outstanding contributions to HIV/AIDS healthcare and research upon the 20th anniversary of the Consortium's establishment.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051422 **[Accept-Expend Private Grant - Department on the Status of Women]** — **Supervisor Ma**

Resolution authorizing the Department on the Status of Women to accept retroactively and expend unexpended funds from a grant from The California Endowment, in the amount of $40,000, which funds shall be used to fund the design and implementation of a customized plan for raising multiple year operating funds by Woman Organized to Make Abuse Nonexistent, Inc. (W.O.M.A.N., Inc.)

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051429 **[Urging the MTA to approve the Arthur H. Coleman Medical Center community's request for sidewalk width reduction to establish perpendicular parking on Ingerson Street]** **Supervisor Maxwell**

Resolution urging the Municipal Transportation Authority to approve the Arthur H. Coleman Medical Center community's request for sidewalk width reduction to establish perpendicular parking on Ingerson Street.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051430 **[Authorizing Application for BEGIN Funds]** **Supervisor Maxwell**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of a standard agreement if selected for such funding and any amendments thereto; the execution of a designation agreement if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051431 **[Commending Catholic Healthcare West, Saint Francis, and St. Mary's hospitals]** **Supervisors McGoldrick, Daly, Elsbernd, Alioto-Pier**

Resolution commending Catholic Healthcare West (CHW), Saint Francis, and St. Mary's hospitals for their commitment to working with the Department of Public Health to protect and enhance the provision of health care services to vulnerable populations.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051432 **[Support of House Resolution 367 Condemning bigotry, violence and discrimination against Iranian-Americans]** **Supervisor Mirkarimi**

Resolution in support of House Resolution 367 condemning bigotry, violence and discrimination against Iranian-Americans.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051433 **[Commending Habitat for Humanity San Francisco]** **Supervisor Sandoval**

Resolution commending Habitat for Humanity San Francisco for its extraordinary work providing affordable housing in San Francisco and celebrating the groundbreaking of twelve new homes at the De Long Terrace Project.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

051413 [West Nile Virus] Supervisor Dufty

Hearing to consider efforts to increase vector control and reduce the threat of West Nile Virus.

8/9/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. Sponsor requests this item be calendered at the August 15th meeting.

051434 [Public Hearing]

Hearing of persons interested in or objecting to a proposed Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin. (Clerk of the Board)

8/7/05, SCHEDULED FOR PUBLIC HEARING. Pursuant to File 051034, Board to sit as a Committee of the Whole August 16, 2005, at 3:00 p.m.

Motions

051407 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051408 [Closed Session - Potential Litigation, Comcast of California III] Supervisor McGoldrick

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation and a settlement involving the City related to the renewal of the cable franchise for Comcast of California III. The settlement resolves the City's unlitigated claims against Comcast California III for $3.5 million, extends the franchise for 4 years, and modifies the terms of the franchise in several ways, including increasing funding for public access, educational and government programming. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.

8/9/05, ASSIGNED to Board of Supervisors. Scheduled for Board consideration August 16, 2005.

051418 [Committee of the Whole - August 16, 2005 at 3:00 PM] Supervisor Daly

Motion to sit as a Committee of the Whole on August 16, 2005 at 3:00 PM to hear File Number 051034 prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

8/9/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

051377 [Settlement of Lawsuit - Daniel Curiel]

Ordinance authorizing settlement of the lawsuit filed by Daniel Curiel against the City and County of San Francisco for $31,420.11; the lawsuit was filed on April 14, 2003 in San Francisco Superior Court, Case No. 419-362; entitled Daniel Curiel, et al., v. City and County of San Francisco, et al. (City Attorney)

8/1/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

051361 [Professional services agreement to provide to perform professional engineering services]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute and amend a professional services agreement with URS Corporation for an amount not to exceed $12,000,000 to provide professional engineering services for the Calaveras Dam Replacement Project. (Public Utilities Commission)

(Fiscal impact.)

7/29/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051373 [Parking Regulations]

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING, 10 PM TO 6 AM, EVERYDAY - ESTABLISH
Alemany Boulevard, both sides, between Sagamore and Crystal Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Red Rock Way, from the driveway of #15 and #55 Red Rock Way driveway to 34 feet northerly and from the same driveway to 27 feet westerly.

NO PARKING ANYTIME - RESCIND
Wright Street, north side, from Holladay Avenue to Montcalm Street

RED (NO PARKING ANYTIME) ZONE - ESTABLISH
Montcalm Street, east side, from 126 feet north of York Street to 55 feet northerly

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Washburn Street, east side, from 56 feet to 120 feet north of Howard Street

RESIDENTIAL PERMIT PARKING AREA "L" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Rossi Avenue, west side, between Anza Street and Turk Boulevard (Unit

block).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Lincoln Way, north side, from 41st Avenue to 100 feet easterly.

RESIDENTIAL PERMIT PARKING "A" AND "C" - RESCIND
PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Broadway, south side, from Powell Street to 80-feet westerly

PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 7 AM - 7 PM EVERYDAY) - ESTABLISH
Bay Street, south side, between Taylor and Mason Streets.

PARKING METERS, AREA NO. 4, (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM MONDAY THROUGH SATURDAY) - ESTABLISH
Mason Street, west side, from Bay Street to 65 feet southerly.

PARKING METERS, 2-HOUR, 9 AM TO 6 PM, MONDAY THROUGH FRIDAY - ESTABLISH
Bryant Street, west side, between 18th and Mariposa Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Larkin Street, west side, between the north and south Fulton Street crosswalks.

TOUR BUS PARKING ONLY (15- MINUTE PARKING TIME LIMIT), 8 AM - 6 PM, EVERYDAY - ESTABLISH
Fulton Street, north side, between 115 feet east of Larkin Street and 125 feet west of Hyde Street (adds time limit to existing zone). (Parking and Traffic Department)

(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

7/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051374 **[STOP Intersections]**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
20th Avenue and Pacheco Street, stopping Pacheco Street at 20th Avenue, making this intersection an All-Way STOP;
La Playa and Judah Streets, stopping northbound La Playa Street, south of the Judah intersection in front of 1400 La Playa Street; and,
La Playa and Judah Streets, stopping westbound Judah Street at La Playa Street on the south side of 1396 La Playa Street. (Parking and Traffic Department)

(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

7/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051375 **[Traffic Regulations]**

Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY STREET - ESTABLISH
Wright Street, from Montcalm Street to Holladay Avenue, eastbound

MULTIPLE LEFT TURN LANES - RESCIND
Main Street, northbound, at Market Street (Parking and Traffic Department)

(7/27/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 3030.)

7/28/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051376 **[Settlement of Claim - David Caimotto]**

Resolution approving the settlement of the unlitigated claim for disability discrimination filed with the Equal Employment Opportunity Commission (EEOC) by David Caimotto against San Francisco for $101,000; claim was filed on December 28, 2004. (City Attorney)

8/1/05, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi

To: Director, Department of Recreation and Park

Requesting/Inquiring: Requesting that the Department of Recreation and Park report on the status of the repair of the restroom and port-a-let in the Panhandle near the Children's Playground (Ashbury/Oak/Fell).

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of the repair of a pothole at 1285 2nd Avenue.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of the repair of a pothole at the intersection of Hugo Street and Second Avenue.

From: Supervisor Mirkarimi

To: Director, Department of Public Works

Requesting/Inquiring: Requesting that the Department of Public Works report on the status of the repair of a pothole at 126 Hugo Street.

In Memoriams

Deputy Mark A. Cash - Supervisor Alioto-Pier

Otto Huang - Supervisor Ma

Frederick Ayatch - Supervisor Mirkarimi

Barbara J. "Mother" Brown - Entire Board

Richard Aagaard - Supervisor Dufty

ADJOURNMENT

There being no further business the Board adjourned at the haur of 6:36 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 13, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second

public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAŸOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance

(Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

City and County of San Francisco
Board of Supervisors

Full Board Agendas

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

DOCUMENTS DEPT.
OCT - 4 2005
SAN FRANCISCO
PUBLIC LIBRARY

MEETING MINUTES

Tuesday, August 16, 2005
2:00 PM
Legislative Chamber - Second Floor
Regular Meeting

Board of Supervisors

AARON PESKIN, PRESIDENT
MICHELA ALIOTO-PIER, TOM AMMIANO, CHRIS DALY,
BEVAN DUFTY, SEAN ELSBERND, FIONA MA, SOPHIE MAXWELL,
JAKE McGOLDRICK, ROSS MIRKARIMI, GERARDO SANDOVAL

Members Present: *Michela Alioto-Pier, Tom Ammiano, Chris Daly, Bevan Dufty, Sean Elsbernd, Fiona Ma, Sophie Maxwell, Jake McGoldrick,*

Ross Mirkarimi, Aaron Peskin, Gerardo Sandoval.

Members Excused: *None.*

Members Absent: *None.*

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll Supervisor Ammiano was noted absent.

Supervisor Ammiano was noted present at 2:07 p.m.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Elsbernd, moved to approve the July 19, 2005 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

AGENDA CHANGES

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

051220 [Parking Fine Penalty Schedule]

Ordinance amending San Francisco Traffic Code Section 132 to reference the correct California Vehicle Code subsection for covering a license plate. (Parking and Traffic Department)

Enacted Number: 211-05

FINALLY PASSED

051231 [Department of Building Inspection Cash Revolving Fund]

Ordinance amending San Francisco Administrative Code Section 10.135 to increase the Cash Revolving Fund of the Department of Building Inspection from $200 to $600.

Enacted Number: 210-05
FINALLY PASSED

051256 [Sale of Surplus Property located at Manzano Way at Oak Creek Way in the City of Sunnyvale, Santa Clara County]

Resolution approving the public auction sale of unimproved surplus real property located on Manzano Way at Oak Creek Way in the City of Sunnyvale, Santa Clara County for a purchase price of $690,000; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

Enacted Number: 643-05
ADOPTED

Recommendation of the Land Use Committee

051128 [Designate 1110 Taylor Street, the Glazer-Keating as a Landmark] Supervisor Peskin

Ordinance Designating 1110 Taylor Street, the Glazer-Keating House, As Landmark No. 251 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code. (Planning Department)

Enacted Number: 212-05
FINALLY PASSED

Recommendations of the Rules Committee

051349 [Settlement of Lawsuit - Shao Xi Tan]

Ordinance authorizing settlement of the lawsuit filed by Shao Xi Tan against the City and County of San Francisco for $80,000; the lawsuit was filed on August 22, 2003 in the United States District Court, Case No. C03-3907 MMC; entitled Shao Xi Tan, et al. v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051350 [Settlement of Lawsuit - San Francisco Bay Area Transit District]

Ordinance approving settlement of litigation brought by the San Francisco Bay Area Transit District against City and County of San Francisco in the eminent domain action entitled San Francisco Bay Area Transit District v. City and County of San Francisco, et al. (Alameda County Superior Court No. HG03-099024, filed July 7, 2003), for a total value of $2,750,000. (City Attorney)

PASSED, ON FIRST READING

051377 [Settlement of Lawsuit - Daniel Curiel]

Ordinance authorizing settlement of the lawsuit filed by Daniel Curiel against the City and County of San Francisco for $31,420.11; the lawsuit was filed on April 14, 2003 in San Francisco Superior Court, Case No. 419-362; entitled Daniel Curiel, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

051376 [Settlement of Claim - David Caimotto]

Resolution approving the settlement of the unlitigated claim for disability discrimination filed with the Equal Employment Opportunity Commission (EEOC) by David Caimotto against San Francisco for $101,000; claim was filed on December 28, 2004. (City Attorney)

Enacted Number: 640-05

ADOPTED

051351 [Settlement of Claim - Andrea Runge]

Resolution approving the settlement of the unlitigated claim by Andrea Runge against the City and County of San Francisco and Michael Scott for $45,000. (City Attorney)

Enacted Number: 641-05

ADOPTED

051269 [Agreement for Tolling of Statute of Limitations Governing Claim]

Resolution approving the City Attorney's entry into a tolling agreement governing claim by USDA Forest Service filed February 2, 2005 arising from Stanislaus National Forest fire of August 9, 2004. (City Attorney)

Enacted 642-05

Number:
ADOPTED

051423 [Appointment - Treasury Oversight Committee]
Resolution appointing Philip Day, Jr., term ending June 5, 2009, to the Treasury Oversight Committee.

Philip Day, Jr., succeeding himself, term expired, seat 1, must the Chancellor of the Community College District or his/her designee, for the unexpired portion of a four-year term ending June 5, 2009.

Enacted Number: 635-05
ADOPTED

051424 [Appointment - Commission on the Aging Advisory Council]
Resolution appointing William Hollabaugh, term ending March 31, 2007, to the Commission on the Aging Advisory Council.

William Hollabaugh, succeeding himself, term expired, seat 11, must be nominee of District 9 Supervisor, for the unexpired portion of a two-year term ending March 31, 2007.

Enacted Number: 634-05
ADOPTED

051425 [Appointment - Bicycle Advisory Committee]
Resolution appointing Lisa Estrella, term ending November 19, 2006, to the Bicycle Advisory Committee.

Lisa Estrella, succeeding Janice Voorsluys, seat 4, resigned, must be nominee of District 4 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Enacted Number: 633-05
ADOPTED

051428 [Appointment - Arts Task Force]
Resolution appointing Karen Ames, term ending November 1, 2005, to the Arts Task Force.

Karen Ames, succeeding Ronald Gallman, seat 13, resigned, must serve as a

director, staff member or board member of a non-profit arts organization based in San Francisco with an annual budget exceeding five million dollars, for the unexpired portion of a six-month term ending November 1, 2005.

Enacted Number: 632-05
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the City Operations and Neighborhood Services Committee

050591 **[Inclusion of transit, pedestrian, and bicycle improvements as part of street improvement projects]** — **Supervisor Mirkarimi**

Ordinance amending the Public Works Code to add Section 2.4.13 to require the integration of transit, pedestrian, and bicycle improvements as part of the planning, construction, reconstruction, or repaving of public right-of-ways.

Enacted Number: 209-05
FINALLY PASSED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval
Noes: 3 - Alioto-Pier, Elsbernd, Peskin

Recommendation of the Government Audit and Oversight Committee

051358 **[Appropriate General Obligation Bond sale proceeds from the 2005A and 2005I series to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works]** — **Supervisor Elsbernd**

Ordinance appropriating $39,328,014 of General Obligation Bond proceeds from the sale of the 2005A Series and appropriating, and placing on reserve,

$60,111,842 from the General Obligation Bond proceeds from the 2005I Series for a total of $99,439,856 to fund the Laguna Honda Replacement Program and bond issuance costs for the Department of Public Works for fiscal year 2005-06.

(Fiscal impact.)

Enacted Number: 213-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendation of the Land Use Committee

051333 **[Tourist Hotel Conversion]** **Supervisors Peskin, Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Mirkarimi, Sandoval**

Ordinance amending the San Francisco Administrative Code to add Chapter 41F to prohibit the conversion of existing tourist hotel structures with 100 or more tourist guest rooms to condominium projects or dwelling units, with certain exceptions; and adopting findings, including environmental findings.

Enacted Number: 214-05

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recommendations of the Rules Committee

051005 **[Cable Television Franchise Amendments]** Mayor

Ordinance amending Ordinance No. 105-64, as amended by Ordinance Nos. 528-88, 315-89, 42-91, 42-97, and 266-99, by amending sections 1, 9, 24.3, 25, 25.5, 27.2, 31, and 32 and Appendix C to extend the term of the franchise and to clarify and expand the obligations of the Comcast of California III, Inc.

Continued to September 13, 2005

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

051006 **[Settlement of Claims - Comcast of California III, Inc.]** Mayor

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

Continued to September 13, 2005

Supervisor Mirkarimi, seconded by Supervisor McGoldrick, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

CLOSED SESSION

051408 **[Closed Session - Potential Litigation, Comcast of California III]** Supervisor McGoldrick

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding potential litigation and a settlement involving the City related to the renewal of the cable franchise for Comcast of California III. The settlement resolves the City's unlitigated claims against Comcast California III for $3.5 million, extends the franchise for 4 years, and modifies the terms of the franchise in several ways, including increasing funding for public access, educational and government programming. Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the potential litigation.

September 13, 2005

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Recess

The Board recessed at the hour of 6:41p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 7:18 p.m. reconvened.

Calling the Roll

The following Supervisors were noted present: Alioto-Pier, Ammiano, Daly,

Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin - 10

Report on Closed Session

Deputy City Attorney Cheryl Adams, reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9(a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance: Supervisors Alioto-Pier, Ammiano, Daly,

Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Cheryl Adams, Deputy City Attorney

Theresa Mueller, Deputy City Attorney

William Lowrey, Miller & Van Eaton, Outside Counsel

Chris Vein, Acting Director, DTIS

Brian Roberts, DTIS

Ron Vinson, Acting Administrator, DTIS

Gloria L. Young, Clerk of the Board

Kay Gulbengay, Deputy Clerk

The meeting was informational only and no action was taken.

Continued to September 13, 2005

[Elect To Disclose] Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose] Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor McGoldrick, seconded by Supervisor Mirkarimi, moved. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Absent: 1 - Sandoval

NEW BUSINESS

Recommendations of the Budget and Finance Committee

051257 [Sweatfree Ordinance]

Mayor, Supervisors Ammiano, Alioto-Pier, Daly, Mirkarimi, Maxwell, McGoldrick, Dufty, Ma, Sandoval

Ordinance amending the San Francisco Administrative Code by adding Chapter 12U, finding that the City would benefit by spending its funds in a manner that would support safe and humane working conditions; requiring contractors and subcontractors providing goods to the City and County to comply with laws and standards affecting labor and employment conditions for employees performing work under the contract and subcontracts, including: not engaging in abusive forms of child labor, foreign convict or forced labor, or slave labor; and compliance with all human and labor rights and labor standards imposed by law or treaty law on the country where the goods are being made or assembled; paying wages that are not less than a minimum wage established by the Director of the Office of Contract Administration; compliance with all applicable laws governing wages, employee benefits, health and safety, labor, environmental conditions, nondiscrimination, freedom of association; creating the Sweatfree Procurement Advisory Group to make recommendations on the implementation, administration or enforcement of this Chapter to the Director of the Office of Contract Administration and the Office of Labor Standards Enforcement; targeting the procurement of garments for enforcement of this Chapter during the first full fiscal year following the effective date of the Chapter, and, thereafter, targeting other goods for enforcement based on recommendations of the Sweatfree Procurement Advisory Group submitted by the Director of the Office of Contract Administration to the Board of Supervisors and approved by ordinance.

(Fiscal impact.)

Supervisor Sandoval requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051122 **[IHSS Contract Modification Approval - San Francisco IHSS Public Authority]**

Resolution retroactively approving the modification of the contract between the City and County of San Francisco and San Francisco In-Home Supportive Services (IHSS) Public Authority, which expires on June 30, 2006, for the provision of health and dental benefits to IHSS Independent Providers, in the amount of $11,872,058, for a total contract amount of $68,190,161. (Human Services Department)

(Fiscal impact.)

Enacted Number: 645-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051123 **[IHSS Contract Approval - IHSS Consortium of San Francisco]**

Resolution retroactively approving the contract between the City and County of San Francisco and the IHSS Consortium of San Francisco for the provision of In-Home Supportive Services for the period from July 1, 2005 to June 30, 2008, in the amount of $51,433,291. (Human Services Department)

(Fiscal impact.)

Enacted Number: 644-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

From the Budget and Finance Committee Without Recommendation

051239 **[Lease of Real Property at One South Van Ness Avenue]**

Resolution authorizing the exercise of an option to lease 66,351 square feet of space on the fifth floor at One South Van Ness Avenue for the Mayor's Office of Housing and the Mayor's Office of Community Development and authorizing a 39,644 square foot sublease of such area to the San Francisco Redevelopment Agency. (Real Estate Department)

Enacted Number: 647-05

ADOPTED by the following vote:

Ayes: 8 - Alioto-Pier, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin
Noes: 3 - Ammiano, Daly, Sandoval

Recommendations of the Land Use Committee

050739 **[SLI Zoning District - Allowing Certain Financial Services]** **Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Table 817 to add Section 817.32 allowing a financial service use in an SLI (Service/Light Industrial) Zoning District under certain circumstances; adopting findings.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051121 [Street Encroachment at 815 Francisco Street]

Resolution granting revocable permission to Launce E. Gamble, Trustees, to occupy a portion of the public right-of-way to construct and maintain a new two-car garage, to encroach approximately 28 feet into the unimproved public sidewalk right-of-way, as per existing neighborhood pattern, fronting 815 Francisco Street (Block 0048, Lot 019), conditioned upon the payment of an annual assessment fee of $4,800, and making findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Enacted Number: 646-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

SPECIAL ORDER 3:00 PM

Board of Supervisors Sitting as a Committee of the Whole

051434 [Public Hearing]

Hearing of persons interested in or objecting to a proposed Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin. (Clerk of the Board)

The President inquired as to whether or not any member of the public wished to address the Board.

Jeff Adachi; Public Defender, expressed concern with the exhibit

John Sun, expressed concern with the exhibit

Male speaker, expressed concern with the exhibit

Victor Yu, Chinese News reporter; expressed concern with Chinese Labor issues and human remains

The President declared the public hearing closed.

Department of Public Health representative reviewed with the Board their investigation.

Chief Medical Examiner reviewed with the Board both the San Francisco and the State policies relating to procedures relating to body donations.

HEARD AT PUBLIC HEARING.

Committee of the Whole Adjourn and Report Without Recommendation

Called From the City Operations and Neighborhood Services Committee

051034 **[Prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin]** **Supervisors Ma, Dufty, Daly, Sandoval**

Ordinance amending the San Francisco Police Code, by adding a new Article 11.1, beginning with Section 788, to prohibit the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin, Sandoval
Noes: 1 - McGoldrick

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Supervisor Mirkarimi introduced, welcomed and presented a Certificate of Honor to Ruth Dewsom in recognition of her co-production of the play "Crowns" and for her community activism.

Supervisor Maxwell introduced, welcomed and presented a Certificate of Honor to San Francisco Police Captain Rick Bruce in recognition of his retirement.

SPECIAL ORDER 4:00 P.M.

051226 **[Public Hearing - Appeal of Final Mitigated Negative Declaration for 800 Brotherhood Way]**

Hearing of persons interested in or objecting to the decision of the Planning Department, certified on May 19, 2005, approving a Final Mitigated Negative Declaration (Case No. 2003.0536E), for the proposed construction of up to 182 dwelling units on an approximately 7.7 acre undeveloped site located on the north side of Brotherhood Way, west of Chumasero Drive, east of Lake Merced Boulevard. The project would involve subdividing the site into about 121 lots and constructing 60 single-family homes and 61 2-unit dwellings. The 121 buildings would be between 3 and 4 stories tall, with heights up to 40 feet, and would total about 444,273 gross square feet. A mix of independently accessible and tandem parking spaces would be provided, for a total of 364 off-street parking spaces. Twenty-one on-street parking spaces would also be created along a new two-way internal private loop road. Access to the site would be via a new driveway on the unimproved portion of the north side of Brotherhood Way abutting the site. There would be a traffic signal at the new access driveway and Brotherhood Way intersection that would be interconnected with the existing signals at Brotherhood Way/School (Church) Access Road, located about 330 feet to the west, and the Chumasero Drive/Brotherhood Way intersection, about 560 feet to the east. The project site is located in an RM-1 (Mixed Residential, Low Density) District and a 40-X Height and Bulk District. The proposed project would require approval of a Conditional Use Authorization for a Planned Unit Development and exceptions for minimum lot sizes, minimum rear yards depths, and bay window dimension. (Appellants: June 17, 2005, filed by Julian P. Lagos on behalf of ParkMerced Residents Association; June 20, 2005, filed by Adena Rosmarin on behalf of Lakeshore Acres Improvement Club.)

(Companion measure to Files 051227, 051228, 051229; District 7.)

Adena Rosmarin, on behalf of Lakeshore Acres Improvement, appellant

Julian Lagos, on behalf of Park Merced Residents, appellant

Honorable Quentin L. Kopp, support of appellant

Charlie Abrams, traffic engineer; support of appellant

David Bishio, West of Twin Peaks Council; support of appellant

Carlos; support of appellant

Nick Davis; support of appellant

Andrew Danas; support of appellant

Beth Wiesberg, President of Beth Israel; support of appellant

Aran Collegian, Armenian Community; support of appellant

Linda Shaw, support of appellant

Marie Brooks, Lake Merced Church of Christ; support of appellant

Pastor of St. Thomas Moore Church; support of appellant

Male speaker; support of appellant

Male speaker; support of appellant

Gail Meadows; support of appellant

Male speaker; support of appellant

Male speaker; support of appellant

Pat Fitzgerald; support of appellant

Maria Alcada; support of appellant

Roseann Cashian, Bay Area Armenian Community; support of appellant

Rabbi Goodman; support of appellant

Maria Alcada; support of appellant

Male speaker; support of appellant

Resident of Park Merced; support of appellant

Resident; support of appellant

Robert Damlian, Calvary Armenian Church; support of appellant

Denise La Pointe; support of appellant

Paul Maltzer, Environmental Officer, and Bill Wycko, Planning Department representative reviewed with the Board the recommendation of the Planning Department.

Steve Vittel, Attorney for project sponsor

Steve Rider, Mission Valley Properties; support of project sponsor

Tim Colon, San Francisco Action Coalition; support of project sponsor

Ricardo Wallace; member of Lakeshore Acres, support of project sponsor

Robert Pender; support of project sponsor

Bert Hill; Bicycle Advisory Committee, support of project sponsor

Rebuttal Period by

HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the final mitigated negative declaration

decision described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

051227 **[Affirming adoption of the negative declaration for 800 Brotherhood Way]**

Motion affirming Planning Commission adoption of the final negative declaration for 800 Brotherhood Way. (Clerk of the Board)

Enacted Number: M05-112

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin
Noes: 3 - Daly, Mirkarimi, Sandoval

051228 **[Reversing adoption of the negative declaration for 800 Brotherhood Way]**

Motion reversing the Planning Commission adoption of the final negative declaration for 800 Brotherhood Way. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin
Noes: 3 - Daly, Mirkarimi, Sandoval

051229 **[Preparation of findings to reverse adoption of the negative declaration for 800 Brotherhood Way]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 800 Brotherhood Way. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 8 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin
Noes: 3 - Daly, Mirkarimi, Sandoval

COMMITTEE REPORTS

051379 **[Liquor License, 572 Castro Street]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Ken McDonald, for Friendly Spirits located at 572 Castro Street, will serve the public convenience and necessity of the people

of the City and County of San Francisco, in accordance with section 23958.4 of the California Business and Professions Code with conditions.

Enacted Number: 639-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

James Chaffee; expressed concern with issues relating to the SF Library

Walter; showed interest in tigers and SFGOV TV

Eugene Gordon, Jr. showed interest in general issues

Michael Dane; showed interest in medical cannabis issues

B.J. Anthony Cabahug-Garcia; showed interest in general issues

Robert Pender, Vice President of Park Merced Association; showed interest in the possible sale of Park Merced

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

051418 **[Committee of the Whole - August 16, 2005 at 3:00 PM]** **Supervisor Daly**

Motion to sit as a Committee of the Whole on August 16, 2005 at 3:00 PM to hear File Number 051034 prohibiting the display of human remains without appropriate written authorization from the deceased or the deceased's next-of-kin.

Enacted Number: M05-114

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051409 **[Issuance and Sale of Revenue Bonds - 1030 Post Street Apartments]** **Supervisor Peskin**

Resolution approving the issuance and sale of revenue bonds by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $7,000,000 for the financing of the acquisition and rehabilitation of the 1030 Post Street Apartments.

Enacted Number: 638-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051419 **[Endorsing the Regional Measure 2 Late Night Owl Bus Service Proposal]** **Supervisor Dufty**

Resolution endorsing the Regional Measure 2 Late Night Owl Bus Service Proposal.

Enacted Number: 629-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051420 **[Urging the DPT to install a stop light at the intersection of Market and Hattie Streets]** **Supervisor Dufty**

Resolution urging the Department of Parking and Traffic to install a stop light at the intersection of Market and Hattie Streets.

Enacted Number: 637-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051421 **[Honoring Dr. Donald Abrams and the Community Consortium for their outstanding contributions to HIV/AIDS healthcare and research upon the 20th anniversary of the Consortium's establishment]** **Supervisor Dufty**

Resolution honoring Dr. Donald Abrams and the Community Consortium for their outstanding contributions to HIV/AIDS healthcare and research upon the 20th anniversary of the Consortium's establishment.

Enacted Number: 625-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051422 **[Accept-Expend Private Grant - Department on the Status of Women]** **Supervisor Ma**

Resolution authorizing the Department on the Status of Women to accept retroactively and expend unexpended funds from a grant from The

California Endowment, in the amount of $40,000, which funds shall be used to fund the design and implementation of a customized plan for raising multiple year operating funds by Woman Organized to Make Abuse Nonexistent, Inc. (W.O.M.A.N., Inc.)

Enacted Number: 636-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051429 **[Urging the MTA to approve the Arthur H. Coleman Medical Center community's request for sidewalk width reduction to establish perpendicular parking on Ingerson Street]** **Supervisor Maxwell**

Resolution urging the Municipal Transportation Authority to approve the Arthur H. Coleman Medical Center community's request for sidewalk width reduction to establish perpendicular parking on Ingerson Street.

Enacted Number: 631-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051430 **[Authorizing Application for BEGIN Funds]** **Supervisor Maxwell**

Resolution authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the BEGIN Program; the execution of a standard agreement if selected for such funding and any amendments thereto; the execution of a designation agreement if selected for such funding and any amendments thereto; the execution of any related documents necessary to participate in the BEGIN Program.

Enacted Number: 624-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051431 **[Commending Catholic Healthcare West, Saint Francis, and St. Mary's hospitals]** **Supervisors McGoldrick, Daly, Elsbernd, Alioto-Pier**

Resolution commending Catholic Healthcare West (CHW), Saint Francis, and St. Mary's hospitals for their commitment to working with the Department of Public Health to protect and enhance the provision of health care services to vulnerable populations.

Enacted Number: 627-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051432 [Support of House Resolution 367 Condemning bigotry, violence and discrimination against Iranian-Americans] Supervisor Mirkarimi

Resolution in support of House Resolution 367 condemning bigotry, violence and discrimination against Iranian-Americans.

Enacted Number: 628-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051433 [Commending Habitat for Humanity San Francisco] Supervisor Sandoval

Resolution commending Habitat for Humanity San Francisco for its extraordinary work providing affordable housing in San Francisco and celebrating the groundbreaking of twelve new homes at the De Long Terrace Project.

Enacted Number: 626-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051407 [Needle Exchange Emergency] Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Enacted Number: M05-113

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding.Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding] Motion that the Board find that for the resolution (s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a

later meeting."

Supervisor Dufty, seconded by Supervisor Elsbernd, moved ADOPTION of serious injury finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

[Brown Act Finding] Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Elsbernd, moved ADOPTION of Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

051451 **[Urging the United States Department of State to condemn the Islamic Republic of Iran's execution of juveniles]** **Supervisors Dufty, Mirkarimi, Ammiano, Sandoval, Daly**

Resolution urging the United States Department of State to condemn the Islamic Republic of Iran's execution of two teenagers [Mahmoud Asgari, Ayaz Marhoni], and the impending execution of two young men [Farid Mostaar, Ahmad Chooka], for conducting homosexual acts allegedly charged as "rape."

Enacted Number: 630-05

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Ordinances

051452 **[Annual Joint Fundraising Drive]** **Supervisor Peskin**

Ordinance amending San Francisco Administrative Code Section 16.93-2 to include Donor Choice as an option for employee contributions during the Annual Joint Fundraising Drive.

8/16/05, RECEIVED AND ASSIGNED to Rules Committee.

051453 **[Off-Street Parking In C-3 Zoning Districts]** **Supervisor Daly**

Ordinance amending the San Francisco Planning Code by amending Sections 151, 151.1, 154, 155, 155.5, 166, and 167 to impose new requirements in C-3 Zoning Districts regarding permitted off-street parking and loading, allowed off-street freight loading and service vehicle spaces, bicycle parking, car sharing, to separate parking costs from housing costs and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

8/16/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on

9/15/2005.

051454 [Authorizing a Change in Use of Grant Funds] Supervisor Daly

Ordinance authorizing a change in the use of San Francisco Convention and Facilities Department grant funds to permit the funds to be used for an affordable housing development without a proposed pavilion.

8/16/05, RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

051455 [Medical cannabis guidelines and medical cannabis dispensary zoning and permitting] Supervisor Elsbernd

Ordinance amending the San Francisco Planning Code by amending Sections 209.3, 217, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 810, 811, 812, 813, 814, 815, 816, 817, and 818, and by adding Sections 790.141, and 890.131, to: define medical cannabis dispensaries; prohibit dispensaries in residential-house and residential-mixed zoning districts; permit dispensaries elsewhere subject to restrictions based on a dispensary's proximity to other dispensaries, schools, community centers and institutions for the treatment of addictive diseases; require adequate ventilation in dispensaries; prohibit the sale or distribution of alcohol at dispensaries; require Planning Department notice to interested individuals and properties within 300 feet of proposed dispensaries; require dispensaries operating before April 1, 2005 to obtain a permit within 18 months of the effective date of this legislation or cease operation; require a notice that permits for dispensaries are not intended to and do not authorize the violation of State or Federal law; and make environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan;
Amending the San Francisco Health Code by adding Sections 3200 through 3220, to: set medical marijuana possession guidelines; require a permit, business license, and business registration certificate for a medical cannabis dispensary; set out the application process for a medical cannabis permit; limit the time period for submitting applications for medical cannabis dispensary permits; require an annual report from the Director of Public Health to the Board of Supervisors; set out operating requirements for medical cannabis dispensaries; and set out the administrative process for imposing penalties and/or permit suspension or revocation for violations;
Amending the San Francisco Traffic Code by amending Sections 53 and 132, to create an infraction for double parking in front of a medical cannabis dispensary and set the fine at $100; and,
Amending the San Francisco Business and Tax Regulations Code by amending Section 1, and by adding Sections 1.177 and 249.17, to authorize the Department of Health to issue medical cannabis dispensary permits and to set out the license fees for medical cannabis dispensaries.

(Fiscal impact.)

8/16/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/15/2005.

051456 [Creating a Foster Care Improvement Task Force] Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by adding Sections 5.300 and 5.305 to establish a Foster Care Improvement Task Force charged with implementing the recommendations of the Disproportionality

Project, and to examine and address the overrepresentation of African American children in foster care.

8/16/05, RECEIVED AND ASSIGNED to Rules Committee.

051457 **[Settlement of Claims - Comcast of California III, Inc.]** **Supervisor McGoldrick**

Ordinance approving the settlement of certain non-litigated claims on behalf of the City and County of San Francisco against Comcast of California III, Inc.

8/16/05, RECEIVED AND ASSIGNED to Rules Committee.

051458 **[Public Works Code - landmark trees and penalties for violations]** **Supervisor McGoldrick**

Ordinance amending the Public Works Code by amending Section 802 to modify various definitions; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Sections 804, 807, 808, and 810 concerning landmark trees and procedures to designate, nominate, and remove landmark trees; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

8/16/05, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 9/15/2005.

051459 **[Parking Restrictions]** **Supervisor McGoldrick**

Ordinance amending the San Francisco Traffic Code by amending Section 3.6.1 to redefine the Downtown Core area, by amending 38.B to prohibit no stopping except for the loading or unloading of passengers or freight in the Downtown Core, by amending 38.B.1 to prohibit no stopping except for the loading or unloading of passengers or freight outside of the Downtown Core, by amending 201.1 to revise the boundaries for Parking Meter Area Number One, and by amending 201.2 to revise the boundaries for Parking Meter Area Number Two.

8/16/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/15/2005. 08/22/05 - Referred to Parking and Traffic for determination of environmental impact. 08/26/05 - Response received from Parking and Traffic, Exempt from Environmental Review.

051460 **[Subdivision Code fees]** **Supervisor Dufty**

Ordinance amending the Subdivision Code section 1315 concerning fees and making environmental findings.

(Fiscal impact.)

8/16/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051461 **[Survey Monument Preservation Fee and Fund]** **Supervisor Dufty**

Ordinance amending the San Francisco Administrative Code by adding Section 8.24-6, to authorize the imposition of a $10 grant deed recordation user fee and by adding Section 10.100-50, to create the County Surveyor's

Survey Monument Preservation Fund for the deposit and collection of the fee for use by the County Surveyor for the retracement or remonument survey of major historical vertical or horizontal land division lines; amending the San Francisco Subdivision Code by adding Section 1340.1, to authorize the County Surveyor to use the proceeds collected from imposition of the fee to pay for the retracement or remonument survey of major historical vertical or horizontal land division lines; and making environmental findings.

(Fiscal impact.)

8/16/05, ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 9/15/2005.

051462 **[Condominium conversion lottery based on seniority of participation]** **Supervisor Dufty**

Ordinance amending Subdivision Code Section 1396.1 to prioritize the condominium conversion lottery based on seniority of participation in prior lotteries and making environmental findings.

8/16/05, RECEIVED AND ASSIGNED to Land Use Committee.

051463 **[Prohibiting issuance of permits that would limit public access to parks for more than one day]** **Supervisor Peskin**

Ordinance amending the San Francisco Park Code by adding Section 7.03-A, to prohibit the Recreation and Park Department from issuing permits for use of park property that would result in the exclusion of the public from the park for more than one calendar day or for a second consecutive day following another permitted event.

(Fiscal impact.)

8/16/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/15/2005.

051151 **[Application of the City's Conflict of Interest Laws to Members of the Landmarks Preservation Advisory Body]** **Supervisor Peskin**

Ordinance amending the San Francisco Campaign and Governmental Conduct Code by adding section 3.203 to apply the City's conflict of interest laws to members of advisory bodies who are required to file statements of economic interests.

6/14/05, RECEIVED AND ASSIGNED to Rules Committee.

7/14/05, REFERRED TO DEPARTMENT. Referred to Ethics Commission for review and recommendation.

8/9/05, RESPONSE RECEIVED. Approved by Ethics Commission with an additional amendment.

8/16/05, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title.

8/16/05, ASSIGNED to Rules Committee.

050689 **[Public Works Code - significant trees, landmark trees, and penalties for violations]** **Supervisor Daly**

Ordinance amending the Public Works Code by amending Sections 802, 804,

807, and 808 and adding Section 810A to address removal, maintenance, and nomination of significant trees as defined herein; amending Sections 802, 806, and 809 to redefine nuisance trees as hazard trees; amending Sections 802 and 803 authorizing the Urban Forestry Council to succeed to the powers and duties of the Tree Advisory Board; amending Section 810 to allow the City to landmark any tree within its territorial limits; amending Section 811 to create civil penalties and fines and to modify provisions on administrative penalties; and making environmental findings.

4/19/05, ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/19/2005.

6/7/05, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

6/7/05, ASSIGNED to City Operations and Neighborhood Services Committee.

8/16/05, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing new title.

8/16/05, ASSIGNED to City Operations and Neighborhood Services Committee. 08/22/05 - Referred to Planning for determination of environmental impact. 09/06/05 - Response received from Planning, exempt from CEQA.

Resolutions

051464 [Traffic Regulations] Supervisor Ammiano

Resolution enacting and rescinding traffic regulations on various streets

MID-BLOCK CROSSWALK - ESTABLISH
Alabama Street, between 24th and 25th Streets.

(8/15/05: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)

8/16/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051465 [Grant of Federal Funds - Municipal Transportation Agency] Supervisor Peskin

Resolution authorizing the Municipal Transportation Agency to accept and expend $9,920,000 of Federal New Starts Capital Assistance for the Third Street-Phase II - New Central Subway project, excluding administrative overhead costs.

8/16/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051466 [Grant of Federal Funds - Municipal Transportation Agency] Supervisor Ammiano

Resolution authorizing the Municipal Transportation Agency to accept and expend $497,050 of TEA 21 Section 3015 (Research, Development, Demonstration, and Training Projects) capital assistance for an Alternative Fuel Technology Project, excluding administrative overhead costs.

8/16/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood

Services Committee.

051467 [CalHome Application] Supervisor Elsbernd

Resolution authorizing the submittal of an application to the California Department of Housing and Community Development for funding under the CalHome Program; the execution of a standard agreement if selected for such funding and any amendments thereto; and any related documents necessary to participate in the CalHome Program.

8/16/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051474 [Parking Regulations] Supervisor McGoldrick

Resolution enacting and rescinding parking regulations at various locations.

PARKING METERS (TO BE IN EFFECT 9 AM TO 6 PM, MONDAY THROUGH SATURDAY, 2-HOUR TIME LIMIT) - ESTABLISH
2nd Street, between Bryant and Townsend Streets
Brannan Street, between 4th and 2nd Street
Folsom Street, between Ist and Spear Streets
Fremont Street, between Folsom and Harrison Streets
Harrison Street, between 2nd and Spear Streets
Main Street, between Harrison and Folsom Streets
Spear Street, between Folsom and 140 feet south of Harrison Street
Townsend Street, between 2nd and 3rd Streets

TOW-AWAY NO PARKING - RESCIND
Folsom Street, south side, between Main and Spear Streets

8/16/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee. 08/22/05 - Referred to Parking and Traffic for determination of environmental impact. 08/26/05 - Response received from Parking and Traffic, Exempt from Environmental Review.

051475 [Approval of Amendment to Design Agreement for the Laguna Honda Hospital Replacement Program] Supervisor Elsbernd

Resolution authorizing the Director of Public Works to execute amendment to the Design Agreement for the Laguna Honda Hospital Replacement Program modifying the total contract amount from $32,595,782 to $33,706,892.

(Fiscal impact.)

8/16/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

051476 [Accept-Expend Federal Grant - Port Commission] Supervisor Alioto-Pier

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $100,000 from the United States Environmental Protection Agency for the San Francisco Bay Cruise Liner Emissions Reductions Incentives Grant (SF Bay CLEARING) Program.

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051477 [50th Anniversary Celebration of CSI] Supervisor Ammiano

Resolution recognizing the 50th Anniversary Celebration of the San Francisco Chapter of the Construction Specifications Institute and commending that Chapter and its many volunteers on this 17th day of September, 2005, for contributing to the advancement of construction technology and education in the City and County of San Francisco.

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051478 [Opposing federal legislation that unduly restricts the local role in telecommunications and video policy] Supervisors Ammiano, Mirkarimi, Peskin, Maxwell, Daly, Dufty, Alioto-Pier

Resolution urging the United States Congress to reject legislation that would unduly restrict the role of local governments in providing broadband Internet access, managing public rights of way, or awarding franchises to video providers and to approve legislation that would preserve the option for local governments to participate in the provision of communications services.

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051479 [Continuing the Ongoing work of the Utility Undergrounding Task Force] Supervisor Dufty

Resolution continuing the ongoing work of the Utility Undergrounding Task Force to advise the City and County of San Francisco on the future of the utility undergrounding process in San Francisco and to complete its work by June 1, 2006.

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051480 [Honoring Trevor Hailey] Supervisor Dufty

Resolution honoring Trevor Hailey upon her retirement, for 16 years leading the "Cruisin' the Castro" walking tour, using her gift for storytelling to inspire and educate both tourists and native San Franciscans on the history of the world-famous Castro District.

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051481 [Commending the 85th Anniversary of the 19th Amendment] Supervisor Ma

Resolution commending the 85th anniversary of the 19th Amendment to the United States Constitution, extending the right of suffrage to women.

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051482 [Homeland Security Grants] Supervisor Ma

Resolution amending Resolution No. 385-04 to authorize designated City and County officials to execute and file on behalf of the City and County of San Francisco applications for federal and state financial assistance under the Emergency Management Performance Grant Program, the renamed State

Homeland Security Grant Program, Public Law 107-206 and any other federal funding programs that are passed through the State of California.

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051483 **[Accept-Expend Federal Grant - Office of Emergency Services]** **Supervisor Ma**

Resolution authorizing the Office of Emergency Services to retroactively accept and expend a Federal Grant in the amount of $280,000 from the United States Department of Homeland Security for the purpose of providing financial assistance to San Francisco's Metropolitan Medical Response System (MMRS).

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051484 **[Supporting the Amendment of the Million Solar Roofs Initiative Program]** **Supervisor Mirkarimi**

Resolution urging the California Assembly Appropriations Committee, the Assembly and the Senate to amend SB1 in order to allow a Community Choice Aggregator the option to administer its own solar roofs program, and to receive solar incentives that will be funded by their ratepayers under SB1; to guarantee the right of Community Choice Aggregators to use existing lawful financing instruments, such as H bonds and government-owned solar as is required for the City and County's 31 Megawatt Community Choice photovoltaic program pursuant to Ordinance 86-04.

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051488 **[Consolidation of Special Statewide Election and special Community College District election with the Consolidated Municipal Election scheduled for November 8, 2005]** **Supervisor Peskin**

Resolution consolidating the Special Statewide Election and special Community College District election, to be held in the City and County of San Francisco on November 8, 2005, with the Consolidated Municipal Election to be held in the City and County of San Francisco on the same date, and providing that the election precincts, voting places and officers for the Special Statewide Election and special Community College District election shall be the same as for the Consolidated Municipal Election.

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051489 **[Meeting Schedule]** **Supervisor Peskin**

Resolution revising the regular meeting schedule of the Board of Supervisors by canceling the October 4, 2005 meeting and scheduling a Board Meeting on October 11, 2005.

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

051468 **[Home Improvement District on Bayshore Boulevard from Cesar Chavez Boulevard to Industrial Road]** — **Supervisor Ammiano**

Hearing to inquire into establishing a Home Improvement District on Bayshore Boulevard from Cesar Chavez Boulevard to Industrial Road.

8/16/05, RECEIVED AND ASSIGNED to Land Use Committee.

051469 **[Mosquito abatement and prevention of the West Nile Virus.]** — **Supervisor Peskin**

Hearing regarding departmental jurisdiction for issues relating to vector control, specifically mosquito abatement and prevention of the West Nile Virus.

8/16/05, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

051470 **[Local Agency Formation Commission (SF LAFCO)]** — **Supervisors Mirkarimi, Ammiano**

Hearing requesting the Local Agency Formation Commission (SF LAFCO) to examine options for San Francisco's pursuit of a municipal cable, television, high speed internet, and broadband infrastructure.

8/16/05, RECEIVED AND ASSIGNED to Board of Supervisors. Sponsor requests this item be referred to LAFCO.

051471 **[Affordable Housing Policy]** — **Supervisors Maxwell, Mirkarimi**

Hearing on the City's affordable housing goals and what City policy and programs are needed to achieve those goals.

8/16/05, RECEIVED AND ASSIGNED to Land Use Committee.

Motions

051450 **[Needle Exchange Emergency]** — **Supervisors Ammiano, Daly, Peskin, McGoldrick, Maxwell, Dufty, Mirkarimi**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

8/16/05, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

051472 **[Amending the Rules of the Board]** — **Supervisor Peskin**

Motion amending the Board's Rules of Order to amend Rules 3.12 and 6.20 to delete requirement for Office of Legislative Analyst to respond to research requests made by the full Board of Supervisors and deleting requirements that the full Board of Supervisors take legislative action to approve or disapprove requests made to the Office of Legislative Analyst on behalf of the full Board.

8/16/05, RECEIVED AND ASSIGNED to Rules Committee.

051473 [Rule Amendment - Recessed Meetings] Supervisor Peskin

Motion amending the Rules of Order of the Board of Supervisors by adding Rule 4.39, which provides that when the Board of Supervisors, or one of its committees, recesses a meeting to a time more than twelve hours after the decision to recess, the members shall identify the items being recessed, and direct the Clerk of the Board to process the remaining, decided items on the agenda as completed business; during the reconvened meeting, the Board or the committee shall not consider those items already processed by the Clerk as completed business; and amending Rule 4.37 to provide that Rule 4.39 may not be suspended.

8/16/05, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED ORDINANCES

051378 [Sale of City Property located at 425 Mason Street, San Francisco]

Ordinance ordering the sale at public auction of City-owned property located at 425 Mason Street; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the sale is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing other actions in furtherance of this ordinance. (Real Estate Department)

(Fiscal impact.)

8/5/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

051406 [Lease of Real Property at One South Van Ness Avenue]

Resolution authorizing the exercise of an option to lease 34,683 square feet of space at One South Van Ness Avenue for the Municipal Transportation Agency of the City and County of San Francisco. (Real Estate Department)

8/8/05, RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi

To: City Attorney

Requesting/Inquiring: Pursuant to Article 1, Section 47.2 of the Police Code, Supervisor Mirkarimi requests the City Attorney to review and propose changes to City and County Ordinance governing Recreation and Park Department sound policy and its enforcement procedures for permitted events that occur in proximate distance to residential and merchant neighborhoods where amplified open field events do not benefit from the preventative cover of trees or natural park boundaries [e.g. Sharon Meadows]; Further requests proposed language reflecting a proportionate fee and rate structure for permitted events that distinguish

between profit and nonprofit admission and/or commercial vendor sales and its nexus to attendance, and its nexus to revenue percentages earmarked for nonprofit charities; Further request proposed language designating an improved fee recovery program and policy from event promoters, and scofflaw event promoters who seek future Recreation and Park permits; Further requests proposed language of instituting a citizens' appeals process in response to Recreation and Park Department/Commission modifications to permitted events.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

Requesting/Inquiring: Requesting that the Department of Parking & Traffic report on the status of extending the application of Residential Parking Permit Area R to include weekend enforcement.

From: Supervisor Mirkarimi

To: Director, Department of Parking and Traffic

To: Director, Municipal Transportation Agency

Requesting/Inquiring: Requesting that the Department of Parking and Traffic and Municipal Transportation Agency report on the status of repainting the faded crosswalks at the intersection of Fulton Street and Lyon Street.

From: Supervisor

In Memoriams

Donato Rossi - Supervisor Peskin

Angela Catherine Marie deVere Hinckle - Supervisor Peskin

ADJOURNMENT

There being no further business the Board adjourned at the hour of 7:23 p.m.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 13, 2005.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board considers ordinances and resolutions, most of which have been the subject of hearings before the standing committees of the board at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.
Board procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers and similar sound-producing electronic devices, (Violators may be removed from the meeting room.) 3) signs to be brought into the meeting or displayed in the room; and 4)standing in the Legislative Chamber.
Citizens are encouraged to testify at Board hearings and to write letters to the Board and to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.
Agenda are available on the internet at www.sfgov.org/bdsupvrs.bos.htm.
THE AGENDA PACKET IS AVAILABLE AT CITY HALL, ROOM 244, RECEPTION DESK.
Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 557-4293.
Results of each Board meeting can be obtained about a half hour after the end of the meeting by telephoning (415) 554-5555.
Requests for language translation at a meeting must be received no later than noon the Friday before the meeting. Contact Ohn Myint at (415) 554-7704.
AVISO EN ESPAŸOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7701

Disability access

The Legislative Chamber of the Board of Supervisors is in Room 250 of City Hall, 1 Dr. Carlton B. Goodlett Place. The Chamber is wheelchair accessible.
The closest accessible BART Station is Civic Center, three blocks from City Hall. Accessible MUNI lines serving this location are: #47 Van Ness, and the #71 Haight/Noriega and the F Line to Market and Van Ness and the Metro stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.
There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex.
All meetings are real-time captioned and are cablecast open-captioned on SF Cable 26.
The following services are available when requests are made by 4:00 p.m. of the Friday before the Board meeting. This advance notice will help ensure availability.
ú For American Sign Language interpreters or use of a reader during a meeting, contact Ohn Myint at (415) 554-7704.
ú For a large print copy of agenda or minutes in alternative formats, contact Annette Lonich at (415) 554-7706.
Assistive listening devices are available from the receptionist in the Clerk of the

Board's Office, Room 244, prior to the meeting.
The Clerk of the Board's Office TTY number is (415) 554-5227.
In order to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby Jr. by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org
Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfgov.org/sunshine

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics

Return to Full Board Agendas

contact us | accessibility policy | disclaimer | privacy policy

Copyright © 1999-2005 City & County of San Francisco. All rights reserved.

302346

HOUCHEN
BINDERY LTD
UTICA/OMAHA NE.
2005